

THE MADRAS LEGISLATIVE COUNCIL.

Thursday, 7th February 1924.

The House met at 11 o'clock, the hon. the President (Diwan Bahadur L. D. SWAMIKANNU PILLAI Avargal, C.I.E., I.S.O.) in the Chair.

The hon. the PRESIDENT:—"I wish to state for the information of the House that in view of the extraordinary number of questions which are being answered to-day I have had them arranged not only in the order of the main subjects dealt with but also in the order of the several Members of the Government who are answering them. Further, in order to enable each interpellator to concentrate attention on the questions in which he is specially interested, I have had a nominal index of interpellators distributed along with the answers. In future such an index will be regularly included in the Agenda paper whenever the question list is exceptionally heavy as it is to-day. I shall also ask the Secretary to make a sufficient pause after each question, as he is required to do by the President's order, to allow hon. Members a reasonable opportunity of rising in their places if they are desirous of asking supplementary questions."

QUESTIONS AND ANSWERS.

[Order made by the President of the Madras Legislative Council under Standing Order No. 15—

- (1) Printed copies of the questions and answers to be put and given at a meeting of the Council shall be placed on the Council table an hour before the President takes his seat.
- (2) The questions and answers shall be arranged in order of subjects.

The Secretary shall call the name of each interpellator in the order in which the names are printed, specify the serial numbers of his questions and make a sufficient pause to allow him or any other member a reasonable opportunity of rising in his place if he is desirous of asking a supplementary question. Supplementary questions must be put immediately after the principal questions to which they relate.]

Administration Report.

Incorporation of chapter on Muhammadan employment in the Presidency Administration Report.

177 Q.—Mr. K. ABDUL HYE SAHIB: Will the hon. the Member for Finance and the hon. the Home Member be pleased to state whether the Government have decided on the omission of the chapter on Muhammadan employment incorporated in the Presidency Administration Report in spite of the fact that it was inserted under the express orders of the Government of India?

A.—The paragraph in question is being expanded into one dealing with the general question of representation of the main communities in Government service.

[7th February 1924]

Cabinet.*The issue of a Whip on the 'No-confidence' motion.*

178 Q.—Mr. S. SATYAMURTI : Will the hon. the Member for Finance be pleased to state—

(a) whether his attention has been drawn to a letter of Mr. S. Muttayya Mudaliyar, M.L.C., appearing in the 'Swarajya' of the 22nd December 1923 and referring to a Whip issued by the hon. the Raja of Panagal with regard to the 'No-confidence' motion;

(b) whether he knew of that Whip, dated the 21st November 1923, on the 27th November 1923, when he answered my Oral question in the Council; and

(c) whether the hon. the Raja of Panagal in issuing the said Whip had consulted any or all of his Colleagues in the Cabinet?

A.—(a) It has now been drawn to it.

(b) The answer is in the negative. I was asked to dispense with notice and reply immediately to a question relating to action taken in the Home Department. I took it that what the hon. Member had in view was a telegram issued by the Labour Commissioner at the instance of the Secretary to the Council to certain of the nominated members who represent the depressed classes, and having ascertained that that telegram could not possibly bear the complexion of a Government Whip, I gave the answer that I did.

(c) The Government consider that details of consultations between the Members that compose it should be treated as secret. They cannot therefore answer this question.

Discussions in the Cabinet.

179 Q.—Mr. S. SATYAMURTI : Will the hon. the Member for Finance be pleased—

(a) to lay on the table a statement showing the portfolios held and administered by the seven Members of the Cabinet; and to state—

(b) whether all subjects are discussed at full meetings of the Cabinet, and

(c) whether the Members of the Executive Council and the Ministers meet separately for the discussion and decision of questions relating to the Reserved and Transferred departments respectively?

A.—(a) The hon. Member is referred to the answer to question No. 61.

(b) & (c) The procedure in respect of the transaction of business in his Executive Council and with his Ministers is regulated by His Excellency the Governor. The Government do not think it desirable to disclose the details of the procedure followed or of the part taken by particular Members of the Government in the transaction of any particular business.

7th February 1924]

MR. C. RAMALINGA REDDI :—“ With regard to (b) and (c) of the answer, I am sure the hon. the Leader of the House will agree with me when I say that more than once His Excellency as well as Members of his Government have officially referred to the fact that joint consultation was a feature of the Madras Government and even prided themselves that, so far as that feature went, Madras was an improvement over the other presidencies. Such declarations having been publicly made, what is the good of my hon. Friend, the Leader of the House, now trying to take refuge under this plea of confidential matter? So I would request him to give us a candid answer as to firstly whether at the beginning joint consultations had been the rule or not, secondly whether such consultations have not been held in the same manner and to the same extent and thirdly whether, if any change had been brought about, it has been brought about by the initiation of the Local Government or under stress from the Government of India or the Right hon. the Secretary of State.”

The hon. Sir CHARLES TODHUNTER :—“ I have nothing to add, Sir, to the answer on the paper.”

MR. C. RAMALINGA REDDI :—“ Does the hon. the Leader of the House deny my statement that more than once in public the Head of the Administration as well as responsible Members of the Government had said that joint consultations were a special feature of the Government here and in so far as that feature went we were a great improvement over the other provinces? ”

The hon. Sir CHARLES TODHUNTER :—“ The answer, Sir, is in the negative.”

MR. C. RAMALINGA REDDI :—“ Then, are we not entitled, since the veil had been lifted so far, for complete publicity of the whole matter? If the thing had not at all been referred to, it would have been a different thing. But the thing having been to some extent revealed, are we not entitled to a complete revelation? ”

The hon. Sir CHARLES TODHUNTER :—“ The answer, Sir, is in the negative.”

The issue of a Whip in connexion with the “ No-confidence ” motion.

180 Q.—MR. C. RAMALINGA REDDI: Will the hon. the Member for Finance be pleased to state—

(a) whether his attention has been drawn to the terms of the Whip issued by the hon. the Chief Minister and dated 21st November 1923 in connexion with the ‘ No-confidence ’ Address debated last November ;

(b) whether he was aware of the existence of the Whip at the time he answered, on the 27th November, Mr. Satyamurti’s question as to whether Government had issued any whip in the negative ; and

(c) if he was not, whether he will be so good as to inform the House as to when the Chief Minister informed him of its existence ?

A.—(a) My attention has been drawn to a letter published in the *Swarajya* by Mr. Muttayya Mudaliyar on the 22nd December 1923.

(b) I was unaware of the existence of the letter in question on the 27th November.

(c) The Government do not propose to make public private discussions between Members and Ministers.

[7th February 1924]

Customs.*Land customs duty on certain articles.*

181 Q.—Mr. K. SITARAMA REDDI: Will the hon. the Member for Finance be pleased to state—

(a) whether any decision has since been arrived at regarding the proposal to cancel land customs duty on certain articles referred to in the answer to my question No. 610, dated 19th December 1922;

(b) if not, the reason for the delay;

(c) the total earnings of the department in the shape of land customs; and

(d) the total establishment charges of the Land Customs department?

A.—(a) The answer is in the negative.

(b) The whole question is under reference to the Government of India with whom the decision rests.

(c) Rs. 10,89,757.

(d) Rs. 94,523.

Depressed classes.*The Panchamas in public service.*

182 Q.—Mr. P. V. S. SUNDARAMURTI: Will the hon. the Member for Finance and the hon. the Home Member be pleased to state—

(a) whether any special concessions have been shown in the way of promotions to the Panchamas who are already in public service;

(b) if so, to how many;

(c) whether the Government have communicated their intention to the heads of various departments of giving preference to deserving men of the depressed classes in the matter of appointments and promotions; and

(d) if so, whether it is being given effect to?

A.—(a) & (b) The Government have no information.

(c) & (d) General instructions have been issued in G.O. No. 658, Public, dated 15th August 1922, in the matter of the representation of the various communities in the public service and the Government have no reason to doubt that they are being observed.

Appointment of depressed classes in Government Service in the Kistna district.

183 Q.—Mr. P. PEDDIRAJU: Will the hon. the Member for Finance and the hon. the Home Member be pleased to state the number and nature of appointments that were filled up by (1) Adi-Andhras and (2) members of the other depressed classes in the Kistna district on a salary of more than Rs. 30?

A.—The figures showing the statistics of appointments of members of the depressed classes will be published in due course in the form of return prescribed in G.O. No. 563, Public, dated 21st July 1923. Information relating to appointments held by the different classes included in the term 'depressed classes' is not available.

7th February 1924]

Finance.

Non-gazetted public servants.

184 Q.—Khan Bahadur HAJI ABD-UL-LAH HAJI QASIM SAHIB Bahadur : Will the hon. the Member for Finance be pleased to state—

(i) the number of houseless indigent non-gazetted public servants including local and municipal ; and

(ii) if the Government have no information on the subject, whether the Government will be pleased to get the necessary statistics from all the districts ?

A.—(i) The Government have no information as to the number of public servants who own no houses. They can only say that the rules provide for the grant of advances for building them and that the extent to which advantage is taken of these rules is small.

Indigence is a matter of degree. If the hon. Member fixes the salary which he regards as connoting indigence, he will be able to prepare from the Civil Budget Estimate figures of the number of officers who derive incomes of less than the limit fixed from the Government.

(ii) The Government see no object in collecting statistics as to the extent to which public servants, who by the nature of their work cannot always live in their native districts, are in possession of houses either there or elsewhere.

Government Press.

185 Q.—Mr. M. RATNASWAMI : Will the hon. the Member for Finance be pleased to furnish information as to the kinds of high class printing work done at the Government Press which require the retention of a highly-paid European staff ?

A.—The hon. Member appears to assume, first, that the rate of salary paid to the supervising officers in the Government Press is high, secondly, that it is high because the officers are Europeans, and thirdly, that European supervision is necessary only for high class printing work. None of these assumptions is correct. The rates paid are less than those paid in private firms. Europeans are employed because it has been found impossible after advertisement to secure men with the necessary training in India. The simplest as well as the most complex printing work can be high class or low class. In other words the simplest impression, if wrongly taken, may result in ruining the fount of type from which it is taken. The Government have reason to believe that the work of all classes done in the Government Press will be found to compare favourably in respect of its execution with work done elsewhere in India.

Mr. M. RATNASWAMI :—“ May I ask the Government whether in private firms, like Messrs. Hoe & Co., and others the same kind of printing work as is done in the Government Press is not done and, if so, whether these private firms also require the European supervision that is required by the Government Press ? ”

The hon. Sir CHARLES TODHUNTER :—“ I believe, Sir, that, generally speaking, that is the case. I cannot disclose any information I have about the concerns of any particular firm.”

[7th February 1924]

MR. M. RATNASWAMI :—“ May I say that that is hardly an answer to my supplementary question ? I wanted to know in my supplementary question whether private firms do not undertake the same kind of printing as is undertaken by the Government Press and, if so, when private firms can do without European supervision what is the necessity for the European supervision in the Government Press ? ”

The hon. Sir CHARLES TODHUNTER :—“ I am not aware of any private firm that can undertake all the classes of work undertaken by the Government Press that does not employ an European.”

MR. M. RATNASWAMI :—“ May I ask, Sir, what special kind of work is done at the Government Press which is not undertaken by the private firm ? ”

The hon. Sir CHARLES TODHUNTER :—“ I have a very fine sample of the work in my room at the present moment. If the hon. Member will give me the pleasure of his company there, I shall be very pleased to show it to him.”

MR. C. RAMALINGA REDDI :—“ I must protest against this, Sir. We too are interested in the matter.”

The hon. Sir CHARLES TODHUNTER :—“ If hon. Members desire, I shall send for the book at once.”

MR. M. RATNASWAMI :—“ May I ask, Sir, whether the same amount and the same kind of European supervision is found necessary in the other Government Presses in India ? ”

The hon. Sir CHARLES TODHUNTER :—“ I have no exact information, but I believe some of the other Government Presses have considerably more European supervision than we have.”

MR. M. RATNASWAMI :—“ May I know how many ? ”
(No answer.)

Joint Financial Secretary.

186 Q.—MR. YAHYA ALI SAHIB : Will the hon. the Member for Finance be pleased to state why, as provided in rule 36 (2) of the Devolution Rules framed under the Government of India Act, a Joint Financial Secretary has not been appointed for examining and dealing with financial questions arising in relation to transferred subjects ?

A.—The question of the appointment of a Joint Secretary contemplated in Devolution Rule 36 (2) and (3) was considered, but since the necessity for the creation of the post has not yet arisen the appointment was not made.

MR. YAHYA ALI SAHIB :—“ Is it because that there is no necessity or is it because that the hon. the Ministers do not desire such an appointment to be made ? ”

The hon. the RAJA OF PANAGAL :—“ The answer already given is complete. As yet there has been no necessity for such an appointment. If such a necessity arises, the matter will be considered.”

Sriman SASIBHUSHANA RATH Mahasayo :—“ Does the hon. the Minister say that there is no necessity for such an appointment as that so far as the transferred departments are concerned ? ”

(No answer.)

7th February 1924]

Subscription to the "Fort St. George Gazette".

187 Q.—MR. A. RANGANATHA MUDALIYAR: Will the hon. the Member for Finance be pleased to state the rates of subscription and the number of paying subscribers to the *Fort St. George Gazette* at the beginning and end of the calendar year 1922, respectively?

A.—(1) The rates of subscription exclusive of postage charges for the *Fort St. George Gazette* at the beginning and at the end of the calendar year 1922 are given below:—

Parts of the Gazette.	Rate at the beginning of 1922. Subscription per quarter.			Rate at the end of 1922. Subscription per quarter.		
	RS.	A.	P.	RS.	A.	P.
(1) Full gazette and all supplements ...	4	0	0	6	8	0
(2) Full gazette only ...	3	0	0	4	12	0
(3) Part I and its supplements ...	2	8	0	2	8	0
(4) Part I-A and its supplements ...	1	0	0	1	0	0
(5) Part I-B and its supplements ...	2	8	0	2	8	0
(6) Part II and its supplements ...	2	8	0	2	8	0
(7) Part III—Acts and Bills of the Government of India and its supplements ...	0	8	0	0	8	0
(8) Part IV—Acts and Bills of the Government of Madras and its supplements ..	0	12	0	1	0	0

(2) The number of paying subscribers to the gazette was as follows:—

	At the beginning of 1922 (January).	At the end of 1922 (December).
Full gazette ...	376	389
Part I-B and supplements ...	274	266
Other parts ...	50	49

Men trained in the use of the linotype machine.

188 Q.—MR. A. RANGANATHA MUDALIYAR: Will the hon. the Member for Finance be pleased to state the number of operators already trained and now under training in the use of the linotype machine by the European operator at the Government Press, Madras?

A.—Three men have already been trained and three men are now under training.

[7th February 1924]

Examiner of Local Fund Accounts.

11-15 a.m. 189 Q.—Mr. C. V. VENKATARAMANA AYYANGAR: Will the hon. the Member for Finance be pleased to state—

(a) whether the present Examiner of Local Fund Accounts was appointed for any special term and on any special conditions and, if so, under what conditions and for what term;

(b) whether it is a fact that that officer has now been asked to revert to his original appointment and, if so, whether there were any special reasons for doing it; and

(c) if the answer to the above question (b) is in the affirmative, whether the Government will be pleased to state if they have appointed any one to succeed him and, if so, whether the officer so appointed has superseded some seniors and what his special qualifications for the post are, and whether the appointment was made on the advice of the Accountant-General?

A.—(a) The present Examiner of Local Fund Accounts was appointed under no special conditions, but for a special term of three years from the 1st of April 1921. His tenure of the post is therefore determined automatically on the 31st March 1924.

(b) The period of the officer's appointment having expired, he will, in the natural course of events, rejoin his own department.

(c) Government have selected a successor to the present Examiner, but the order of appointment has not yet been issued. The appointment involves the supersession of no one.

Mr. C. V. VENKATARAMANA AYYANGAR:—"I am sorry that the last portion of clause (c) has not been answered."

(No answer.)

Council Secretaries and Additional High Court Judges.

190 Q.—Mr. S. SATYAMURTI: Will the hon. the Member for Finance be pleased to state whether he has any intention of making provision in this year's budget for (a) Council Secretaries and (b) Additional High Court Judges?

A.—The hon. Member's attention is invited to rules 31, 32 and 37 of the Devolution Rules from which he will observe that the making of provision for particular expenditure in the budget does not depend upon the intentions of the Finance Member.

Mr. C. RAMALINGA REDDI:—"I would like to know, Sir, whether there are any proposals with respect to these appointments?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"As to the appointment of two more Judges, I have already answered that Government examined the proposal, but felt not being able to recommend for the creation of these two posts."

The hon. Sir CHARLES TODHUNTER:—"The other matter is under consideration."

7th February 1924]

Basis of fixing the salary of subordinate service.

191 Q.—Mr. L. C. GURUSWAMI : Will the hon. the Member for Finance be pleased—

(a) to call for and lay on the table all the supplemental instructions and circulars issued by the Government and the Accountant-General to the heads of departments regarding the interpretation of G.O. No. 711, Financial, dated 11th July 1921 ;

(b) to lay on the table the Fundamental Rules with the latest correction slips or orders issued by them ;

(c) to explain in detail why the period of three months prior to 1st March 1921 was ordered to be taken into consideration in fixing the initial pay of subordinates ; and

(d) to state whether it is the intention of the Government to fix the average initial salary of subordinates for a period of one year prior to 1st April 1921 as defined in rule 9 (2) of the Fundamental Rules and to cancel G.O. No. 711, Financial, dated 11th July 1921, with retrospective effect from 1921 ?

A.—(a) The Government in the Finance Department have not issued any supplemental instructions or circulars. They see no reason for laying on the table instructions issued by the Accountant-General to give effect to the orders of the Government.

(b) The hon. Member is referred to the *Fort St. George Gazette*, in which the rules in question have been published.

(c) The ordinary rule for bringing officers on fixed pay on to an incremental scale was contained in articles 157 and 158, Civil Service Regulations, to which the corresponding provision in the Fundamental Rules is to be found in rules 22 and 23. This involved bringing the officers on to the time-scale at a stage equal to or just above their substantive pay which would have meant a reduction of salary in a great majority of cases. The purpose of the revision was to merge the temporary allowances in pay and to convert the graded scales of pay into incremental scales, and the Government wished to do this with as little variation as possible of the rates of pay the officers were drawing at the time. They therefore decided that the fairest all-round course that could be adopted was to base their calculations upon the total of substantive pay, temporary allowance and acting allowance drawn in the three months before the order took effect.

(d) Rule 9 (2) of the Fundamental Rules defines 'average pay' for the purposes of calculating leave allowances. It has no connexion with the order in question. The Government have no intention of cancelling the order and embarking with retrospective effect upon another revision of salaries of several thousands of Government officers.

[7th February 1924]

Public Services.*Muhammadans in the Superior Service in the Transferred Departments.*

192 Q.—MR. K. ABDUL HYE SAHIB: Will the hon. the Member for Finance be pleased to state the number of Muhammadans appointed to posts on Rs. 250 to Rs. 500 and on Rs. 500 and above in the Transferred Departments since the introduction of the Reforms?

A.—The information asked for can be obtained from a scrutiny of the Civil Lists for the years in question.

Posts of Collector reserved for members of the Provincial Civil Service.

193 Q.—MR. S. SATYAMURTI: Will the hon. the Member for Finance be pleased to state—

(a) whether four posts of Collector and District Magistrate are reserved for the members of the Provincial Civil Service;

(b) whether only three such members of the Provincial Civil Service are now holding the posts of Collector and District Magistrate; and

(c) the reasons why a fourth member of the Provincial Civil Service has not been appointed?

A.—There is no provision in the Government of India Act under which posts can be reserved for the members of the Madras Provincial Service. Section 99 provides that the authorities in India by whom appointments are made to offices in the Indian Civil Service may appoint to any such office any person of proved merit and ability domiciled in British India and born of parents habitually resident in India subject to such rules as may be prescribed by the Governor-General in Council and sanctioned by the Secretary of State in Council. The rules governing the subject are under revision, and the notifications at present in force permit the appointment to posts of Collector of three persons who are not members of the Indian Civil Service. Three members of the Provincial Civil Service are now in charge of districts. Two other members of that service hold posts which are graded as Collectorates.

Communal representation in higher services.

194 Q.—MR. M. RATNASWAMI: Will the hon. the Member for Finance be pleased to state the total number of Indian Christians, Brahmans and Muhammadans, respectively, employed in the public services drawing a salary of Rs. 500 and above a month?

A.—The hon. Member is referred to the Annual Civil List.

Re-employment of Government pensioners.

195 Q.—MR. SAMI VENKATACHALAM CHETTIYAR: Will the hon. the Member for Finance be pleased to state if any pensioners on Rs. 100 and above have been re-employed in Government service in the City; if so, what is the number of such pensioners and what are the departments and the capacities in which they are employed?

A.—The information is not available.

7th February 1924]

The Lee Commission.

196 Q.—Mr. S. SATYAMURTI: Will the hon. the Member for Finance be pleased to state—

(a) whether the Government of Madras was consulted with regard to the appointment of the Lee Commission;

(b) what the opinion of the Government of Madras on the matter was and whether it was unanimous;

(c) whether the Government of Madras selected the witnesses—associations as well as individuals—to give evidence before the Commission, or whether they were consulted in the matter;

(d) what are the names of the associations or individuals whom the Government selected or recommended to give evidence before the Lee Commission, and on what principle the selection or recommendation was made;

(e) whether the name of the Madras High Court Vakils' Association was suggested to the Commission by the Government; and

(f) whether the Government have placed any proposals before the Lee Commission, and, if so, what they are?

A.—(a) & (b) The answer is in the negative.

(c) & (d) The Government distributed copies of the questionnaires to a number of associations and individuals, of whom a list has already been published in the newspapers, and the Commission selected from among those who sent in written replies the witnesses from whom they wished to receive oral evidence.

(e) The answer is in the negative.

(f) The correspondence and discussions between the Government and the Commission were confidential.

Reforms.

Power of appointment and control by Ministers.

197 Q.—Rao Bahadur T. A. RAMALINGA CHETTIYAR: Will the hon. the Member for Finance be pleased to state—

(1) whether it is a fact that the power of control and appointment possessed by the Ministers before were curtailed within the last few months; if so, when were they so curtailed;

(2) whether the Ministers have agreed to the changes made in the rules, procedure followed or the curtailment of their powers; if so, when; and

(3) what are the powers of the Ministers with reference to appointment and control of officers in the Transferred departments; in what respects do they differ from those of Executive Councillors in the Reserved departments?

A.—(1) & (3) The general powers of Members of Council and Ministers in respect of subjects committed to their control are defined in sections 50 and 52 of the Act, respectively. Briefly speaking, in the case of Reserved subjects, when a difference of opinion arises, the opinion of the majority prevails unless the Governor sees reason to reject it on the ground that the safety, tranquillity or interests of the province would be essentially affected if it were put into operation. In the case of Transferred subjects, the Governor is guided by the advice of his Ministers unless he sees sufficient cause to dissent from their opinion.

[7th February 1924]

These general powers are limited by the Devolution Rules framed under section 45-A (2) (iv) of the Act, which provide (Schedule I, Part II, item 47) that the general control of service questions rests in the Governor in Council and (rule 10) that the personal concurrence of the Governor is necessary in respect of all orders to the prejudice of officers of All-India and Provincial services and of all postings of officers of All-India services.

They are further subject to the general body of rules and other provisions in operation at the time of the passing of the Government of India Act which are preserved by sections 96-B (4) and 133 of that Act. One of these provisions is embodied in despatches of the Court of Directors which lay down that it rests with the Governor to select and nominate the individuals whom he may consider to be best qualified and to have the best claims to supply vacancies in office and that the concurrence of the Members of Council to the nominations of the Governor ought not to be withheld unless specific objections to the persons selected are considered to be of material importance on the ground of unfitness for the particular office. There is also a large body of rules and orders governing qualifications for appointments, powers of heads of departments and other cognate matters.

They are further subject to the rules framed by the Secretary of State in Council under section 96-B (2) of the Act for regulating the classification of the Civil Services in India, the methods of their recruitment, their conditions of service, pay and allowances, and discipline and conduct; and in respect of the Indian Civil Service to the rules framed under section 97 of the Act. The principal rules so far framed under these sections are the Fundamental Rules and the rules dealing with the classification of the services and examinations for the Indian Civil Service.

Lastly they are subject to the provisions of clause VII (4) of the Instrument of Instructions which requires the Governor to safeguard all members of the services in the legitimate exercise of their functions and in the enjoyment of all recognized rights and privileges, and to see that all things are ordered justly and reasonably in their regard and that due obedience is paid to all just and reasonable orders and diligence shown in their execution.

It will be seen from the above that the bulk of the duties in relation to the public services are laid upon the Governor. He must take the initiative in appointments; he must personally concur in every order to the prejudice of an officer in an All-India or Provincial service, and in the case of All-India services, even in postings; and he is generally charged with the protection of the services against political influences.

So far as concerns the giving of advice to the Governor, the powers of Members of Council and Ministers are identical subject to the difference in the general powers prescribed by sections 50 and 52 of the Act. The further powers of the Governor in Council and the Governor acting with Ministers are derived from

7th February 1924]

Finance.

Non-gazetted public servants.

184 Q.—Khan Bahadur HAJI ABD-UL-LAH HAJI QASIM SAHIB Bahadur : Will the hon. the Member for Finance be pleased to state—

(i) the number of houseless indigent non-gazetted public servants including local and municipal ; and

(ii) if the Government have no information on the subject, whether the Government will be pleased to get the necessary statistics from all the districts ?

A.—(i) The Government have no information as to the number of public servants who own no houses. They can only say that the rules provide for the grant of advances for building them and that the extent to which advantage is taken of these rules is small.

Indigence is a matter of degree. If the hon. Member fixes the salary which he regards as connoting indigence, he will be able to prepare from the Civil Budget Estimate figures of the number of officers who derive incomes of less than the limit fixed from the Government.

(ii) The Government see no object in collecting statistics as to the extent to which public servants, who by the nature of their work cannot always live in their native districts, are in possession of houses either there or elsewhere.

Government Press.

185 Q.—Mr. M. RATNASWAMI : Will the hon. the Member for Finance be pleased to furnish information as to the kinds of high class printing work done at the Government Press which require the retention of a highly-paid European staff ?

A.—The hon. Member appears to assume, first, that the rate of salary paid to the supervising officers in the Government Press is high, secondly, that it is high because the officers are Europeans, and thirdly, that European supervision is necessary only for high class printing work. None of these assumptions is correct. The rates paid are less than those paid in private firms. Europeans are employed because it has been found impossible after advertisement to secure men with the necessary training in India. The simplest as well as the most complex printing work can be high class or low class. In other words the simplest impression, if wrongly taken, may result in ruining the fount of type from which it is taken. The Government have reason to believe that the work of all classes done in the Government Press will be found to compare favourably in respect of its execution with work done elsewhere in India.

Mr. M. RATNASWAMI :—“ May I ask the Government whether in private firms, like Messrs. Hoe & Co., and others the same kind of printing work as is done in the Government Press is not done and, if so, whether these private firms also require the European supervision that is required by the Government Press ? ”

The hon. Sir CHARLES TODHUNTER :—“ I believe, Sir, that, generally speaking, that is the case. I cannot disclose any information I have about the concerns of any particular firm.”

[7th February 1924]

Mr. Ramalinga Chettiyar, will accept the suggestion of the hon. the Finance Member and will reduce to writing any questions he wishes to put by way of supplementary questions to the present question, or with reference to the question which he says has been omitted, I shall endeavour to get the answers in the usual manner, if necessary, by shortening the period of notice."

Mr. C. RAMALINGA REDDI:—"Sir, I wish to make an appeal, if I may. We came rather early to study this particular question. The answer to it is very long and complicated and it is one which raises the whole question of the position of Ministry under the Reforms Act. I want to ask a number of supplementary questions, not one or two but quite a number of questions, and I would like to have some time for going through this answer and preparing my supplementary questions. Therefore if the hon. the Leader of the House has no objection I would also join my colleague to have the whole question postponed till to-morrow and taken up as the first item, because it is a very important matter as it raises the whole question of the position and the powers of the Ministry under the Responsible Government. I think, Sir, you will kindly see your way to meet our wishes in the matter."

The hon. the PRESIDENT:—"For the purpose of asking supplementary questions, the Leader of the House and myself agree to allow the main questions to stand over till to-morrow: the supplementary questions should be put in writing to-day, and unless the Leader of the House says to the contrary, we shall endeavour to give them the answers, if possible, by to-morrow."

The hon. Sir CHARLES TODHUNTER:—"I shall certainly do my best to reply to any question that is put to me. In view, however, of the importance of the matter and of the complicated nature and of the large number of questions that the hon. Member proposes to ask, I cannot give any definite undertaking, but I shall try to reply to them to-morrow."

Mr. C. RAMALINGA REDDI:—"Is it understood that the supplementary questions may be put to-morrow?"

The hon. the PRESIDENT:—"I should prefer that the questions are handed over to the Secretary so that the hon. the Leader of the House may have some time to look into them. It would not be fair on my part to defer the questions till to-morrow if no time was allowed to the hon. the Finance Member to go through them. Hon. Members say that it will take a whole day to frame supplementary questions, and should not the hon. the Finance Member have at least half of that time for preparing his answer?"

Mr. C. RAMALINGA REDDI:—"I would like to get an answer on one point and that is, as to what exact meaning is attached to the wording 'that so far as the Transferred Subjects are concerned His Excellency shall act on the advice of the Ministers.' That is the wording of the Report of the Joint Committee."

The hon. the PRESIDENT:—"It would be fair, now that an arrangement has been arrived at that the whole question should be taken up to-morrow and that notices are given in writing by the hon. Member, Mr. C. R. Reddi, and any other Member who may wish to ask supplementary questions: all these questions should be handed over to the Secretary by 5 o'clock this afternoon, if possible earlier."

7th February 1924]

Salt.

Salt swamp in Tiruturaipundi.

198 Q.—Mr. C. MARUTHAVANAM PILLAI: Will the hon. the Member for Finance and the Member for Revenue be pleased to state—

(1) whether there is a large salt swamp in the southern half of Tiruturaipundi taluk, and, if so, whether the same or a portion thereof is used for manufacturing salt;

(2) whether the sea-water gets into the swamp during summer and whether the loose saline mud is drifted year after year into the cultivated areas of the surrounding villages; and

(3) whether any grievances about the same were at any time represented to the Revenue authorities, during jamabandi time, by the landholders of the affected areas; and if so, what action was taken thereon?

A.—(1) & (2) The following extract from the report of Dr. J. J. L. Ratton written in 1873 gives an account of the phenomenon to which the hon. Member apparently refers:—

“The Vedarniem salt pans are laid out on a large swamp, formed at the base or root of the promontory of Point Calimere, by the action of the Vishagum or storm wave which rises, every year, in May or June, about 2 or 3 feet above the level of ordinary tides and inundates the low ground at the junction of the promontory with the main land.

“This Vishagum wave appears to be a result of the change of wind and sea-current in Palk Strait, which accompanies the outburst of the south-west monsoon. It overruns the whole southern shore of Point Calimere, almost from the point to Adirampatam, a distance of full 40 miles, and settling in the hollow grounds forms a salt swamp of enormous extent. There does not, however, seem to be any sustained elevation of the sea-level along this shore during the monsoon, for at Vedarniem, this year, two or three days after the first appearance of the Vishagum, its waters were in full retreat, and in three weeks' time there was scarcely a vestige of it left.

“The sand and coarse materials carried along in suspension by the Vishagum are deposited first, the clay in fine division being taken to the furthest limit fringing the high ground.”

(3) The Government have no information as to whether the ryots who have extended their cultivations within the range of the Vishagum wave have any grievance in connexion with it. In any case it does not appear that the grievance would be one which it lies within the power of Government to remedy.

The Stella Maris Brine Refining process.

199 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Member for Finance be pleased to state whether the Stella Maris Brine Refining process has been tried anywhere in the Madras Presidency by themselves or by any private firm and if so, with what results?

A.—So far as the Government are aware the process has not been tried anywhere in this Presidency on a manufacturing scale.

[7th February 1924]

Mr. A. RANGANATHA MUDALIYAR :—“ From the reply of the hon. the Finance Member, it appears that this process has been tried somewhere in the Presidency on less than a manufacturing scale. What has been the result there ? ”

The hon. Sir CHARLES TODHUNTER :—“ Government are not in possession of any information regarding it, except what has appeared in a pamphlet which has received a wide circulation.”

Diwan Bahadur P. KESAVA PILLAI :—“ Is it a fact, as stated in the pamphlet that has been issued, that bullocks' blood and sheep's blood and glue are used in the refinement of salt in England ? ”

The hon. Sir CHARLES TODHUNTER :—“ Sir, I am glad to have the opportunity of telling the House that that is one of the pieces of mischievous nonsense which this pamphlet contains. It purports to be a quotation from a book called ‘ Common Commodities and Industries—Salt ’ and the statement about bullocks' blood, sheep's blood and glue, which appears on page 16 of that book, is extracted from an account of the process employed in Saxony in the year of grace 1566, or three and a half centuries ago.”

Mr. J. SALDANHA :—“ Will the Government be pleased to make the experiment themselves ? ”

The hon. Sir CHARLES TODHUNTER :—“ Government have made numerous experiments themselves and are confident of their ability to make salt as good as that described in the pamphlet and are ready to put it on sale as soon as anybody will buy it.”

Telegraphs.

Telegraph stations at Rasipur and Atur.

200 Q.—Rao Sahib S. ELLAPPA CHETTIYAR : Will the hon. the Member for Finance be pleased to state—

(a) whether it is a fact that there has been prolonged agitation on the part of the Salem people for opening telegraph stations at Rasipur and Atur, two important taluk headquarters ; and

(b) whether in view of the commercial importance attached to these stations and in view of the representations made in this Council from time to time Government would state how the matter stands at present ?

A.—(a) The hon. Member has called attention to the matter by questions in Council on four occasions.

(b) The inhabitants of Atur were at first unwilling to find the necessary guarantee. The President of the Atur Taluk Voters' Association, however, on the 31st December 1923, advised the Government that they were sending a representation agreeing to the terms proposed. The representation in question has not yet reached the Government. In the case of Rasipur the Postmaster-General has not yet intimated the amount of the guarantee required. It is being reminded.

7th February 1924]

Agency.

Agency Fituri.

201 Q.—Mr. S. SATYAMURTI: Will the hon. the Home Member be pleased to state—

- (a) the proposals, if any, for putting down the Agency Fituri; and
- (b) the additional expenditure likely to be incurred on that account?

A.—(a) & (b) The Government have recently obtained the loan of the services of a detachment of the Assam Military Police for the purpose of reinforcing the local Police forces operating in the Agency. The cost of this extra force was estimated by the Assam Government at Rs. 21,000 per mensem excluding cost of transport. It would not be in the public interest to make at present any further disclosure of the Government's plans for dealing with the Fituri.

Rao Bahadur C. V. S. NARASIMHA RAJU:—"I wish to know the number of troops that was employed."

The hon. Sir ARTHUR KNAPP:—"I do not think it will be in the public interest to publish the number of exact troops that are employed."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"I wish to know the average cost."

The hon. Sir ARTHUR KNAPP:—"I am afraid I must have notice of that question."

Constitution of districts, divisions and taluks.

Redistribution of villages in the Divi taluk, Kistna district.

202 Q.—S. R. Y. ANKINEDU PRASAD Bahadur: Will the hon. the Home Member and the hon. the Member for Revenue be pleased to state—

(a) whether any fresh proposals for the redistribution of villages in the Divi taluk, Kistna district, suggesting the inclusion of some of them in the newly-proposed Pamarru taluk have reached the Government and if so, whether the hon. Member will see his way to have them published for the criticism of the public, before any final step is taken on the subject by Government;

(b) whether it is a fact that proposals have been made by the Revenue authorities in the Kistna district for the formation of a new division called the Nuzvid Revenue division with headquarters at Nuzvid for administering the proposed Pamarru taluk and the existing Gannavaram taluk; if so, whether this proposed inclusion of villages situated at several miles' distance from the headquarters of the proposed division at Nuzvid will be convenient for the people concerned and whether their wishes have been ascertained with regard to the proposed change;

(c) whether it is a fact that the non-Government villages in the Divi taluk, Kistna district, were surveyed in 1890 and the mamul wet areas localized under block system of survey; and

(d) if so, what necessity has arisen to resurvey all the lands in the said wet villages controlled by the irrigation authorities and what would be the probable cost of resurvey?

[7th February 1924]

A.—(a) In 1919 the Board of Revenue recommended that, with a view to give relief to the Tahsildar of Divi, 20 villages should be taken away from his jurisdiction and that 15 of them should be included in the proposed Pamarru taluk and 5 in the Bandar taluk. No further proposals for the redistribution of villages in the Divi taluk have been submitted to Government. The proposal referred to above was embodied in the Press Communiqué, dated 3rd March 1920, on which the criticism of the public was invited.

(b) The proposal is that the taluks of Pamarru and Gannavaram and the independent Deputy Tahsildar's division of Nuzvid should be formed into a division with headquarters at Nuzvid. It has been included in the Press Communiqué, dated 6th October 1923, which was published for public criticism. Criticisms received will be considered by Government before orders are passed on the proposals for the bifurcation of the district.

(c) Yes ; about the year 1891.

(d) The condition of the original survey was found to be very unsatisfactory ; the cost of the present survey will be about Rs. 30,000 and will be fully borne by the Government.

Depressed classes.

Land assigned to the depressed classes in the Kistna district.

203 Q.—Mr. P. PEDDIRAJU : Will the hon. the Home Member be pleased to lay on the table—

(1) a talukwar statement relating to the Kistna district showing the extent of land assigned for cultivation to the members of the Adi-Andhra community since 1st April 1922 ; and

(2) a statement showing the extent of land thereof fit for wet cultivation ?

A.—(1) & (2) The Government are not in possession of the information but have called for it.

Treatment of the depressed classes litigants in courts.

204 Q.—Mr. S. SATYAMURTI : Will the hon. the Home Member and the hon. the Law Member be pleased to state—

(a) whether his attention has been drawn to the statements of Mr. R. Srinivasan, a Member of this Council, before the Lee Commission, viz., that depressed classes do not get a fair hearing in courts, except from European Judges, that litigants belonging to the depressed classes are not allowed to enter the courts and that they are examined while standing outside, that this practice prevails in most of the courts in the Presidency, and that only when Europeans preside over the courts they are admitted freely ;

(b) whether these statements are true ; and

(c) if so, of which courts and in what cases ?

7th February 1924]

A.—(a) Yes.

(b) The Government are not aware of any such complaints. They are, however, making inquiries through the Labour Commissioner.

(c) Does not arise.

Economic condition.

Agricultural conditions in certain taluks of Bellary.

205 Q.—MR. A. RANGANATHA MUDALIYAR: Will the hon. the Home Member be pleased to state—

(1) the average rainfall of the thirty years ending 1919—month by month—from June to December, in each of the taluks of Hospet, Kudligi, Hadagalli, Harpanahalli and Rayadrug of the Bellary district;

(2) the actual rainfall, month by month, from June to December, in the above said taluks in each of the years subsequent to 1919;

(3) the average extent of cultivation for each of the above taluks in each of the last three decenniums;

(4) the actual extent of cultivation in each of the years of the current decennium;

(5) the average outturn for each of the above taluks in each of the last three decenniums as regards the staple food-grains selected for commutation purposes in the resettlement of the area; and

(6) the actual outturn of each taluk in 1920, 1921, 1922 and 1923, if available?

A.—(1) The attention of the hon. Member is invited to the statement printed on page 58 of scheme report for the resettlement of red-soil taluks of Bellary district which has been published in the *Bellary District Gazette* Extraordinary for November 1923.

(2) The hon. Member is referred to the rainfall statements published in the *Fort St. George Gazette*.

(3) The figures are not available for three decenniums but the average of five years, 1325 to 1329, is given on pages 52—55 of scheme report referred to in (1) above.

(4), (5) & (6) The figures are not available.

MR. A. RANGANATHA MUDALIYAR:—"May I know, Sir, if the items referred to in clauses 3, 4, 5 and 6 of my question were not taken into consideration in resettling the taluk or taluks?"

THE HON. SIR ARTHUR KNAPP:—"I do not quite follow my hon. Friend."

MR. A. RANGANATHA MUDALIYAR:—"I would like to know whether the information I have called for was not taken into account in resettling a district."

THE HON. SIR ARTHUR KNAPP:—"A district or this district?"

MR. A. RANGANATHA MUDALIYAR:—"In resettling the taluks of Hospet, Kudligi, Hadagalli, Harpanahalli and Rayadrug."

THE HON. SIR ARTHUR KNAPP:—"I am afraid I cannot answer that question."

[7th February 1924]

Mr. A. RANGANATHA MUDALIYAR :—“ May I know whether the records from which these data have been compiled have been destroyed ? ”

The hon. Sir ARTHUR KNAPP :—“ They have not been destroyed. ”

Mr. A. RANGANATHA MUDALIYAR :—“ As this information is very important in deciding the enhancement of assessment, will the Government be pleased to call for information, so that we may have a proper discussion of this question ? ”

The hon. Sir ARTHUR KNAPP :—“ I will consider the question and if I find that calling for such information would serve a useful purpose, I shall do so. ”

Mr. A. RANGANATHA MUDALIYAR :—“ I have given notice of a Resolution on this subject and therefore I have called for this information. ”

The hon. the PRESIDENT :—“ The hon. Member was not putting a supplementary question the last time he spoke. ”

Forests.

Reserve forests in Anantapur district.

206 Q.—Mr. G. RAMESWARA RAO : Will the hon. the Home Member be pleased to state—

(a) the number of reserved forests in Anantapur district, giving the area of each, the annual income derived from each and the shortest distance of each from the nearest village limits ;

(b) the annual expenditure incurred on subordinate staff in each of the reserved forests, and the total annual expenditure on superior Forest Officers in the district, including the District Forest Officer ;

(c) what was the total amount of fines and compounding fees levied in the district on account of forest offences in each year during the last five years ;

(d) whether there is any superior growth in any forest and whether it is proposed to start any plantation in any of these and if so at what cost ;

(e) if the Government have received representations either for disafforestation or for releasing them ; and

(f) if so, what orders have been passed on such representations ?

A.—(a) A statement showing the number of reserved forests with their area is placed on the Council Table.* The Government have no information on the other points referred to.

(b) The Government have no information as regards the annual expenditure incurred on subordinate staff in each of the reserved forests. The total annual expenditure on Superior Forest Officers in the district including the District Forest Officer is Rs. 20,900.

7th February 1924]

(c) The amount of fines and forfeitures realized during the last five years is given below :—

Year.	Amount.
	RS.
1918-19	8,242
1919-20	7,172
1920-21	8,276
1921-22	1,10,673
1922-23	12,707

These figures include also the following items :—

- (i) fines inflicted on contractors,
- (ii) compensation awarded by Magistrates to the department in forest cases, and
- (iii) fees for extension of time in connexion with contracts for felling coupes.

(d) Some of the reserves contain fairly good growth. There is no proposal to start any plantation in any of the reserves.

(e) Yes.

(f) (i) With reference to a petition received from one Hanijee Naick of Kothakota, the Government have approved the proposal to disforest the whole of Chiralapolli reserve and portions of Yerlampalli, Kothakota and Vargalamma Cheruvu reserves.

(ii) As a result of a petition from the ryots of the adjoining villages four blocks of the Tarimala reserve comprising an area of 2,089.60 acres have been disforested.

(iii) A petition from the ryots of Gangavaram and other villages for the disforestation of the Golla reserve is under consideration.

(iv) Petitions received from the ryots in certain villages for the disforestation of portions of Katrimala East and Nigidi East and West reserve on the ground of their proximity to villages are being inquired into by the Chief Conservator of Forests.

Mr. G. RAMESWARA RAO :—“ I want to investigate the matter. Will the Government be pleased to call for information ?”

The hon. Sir ARTHUR KNAPP :—“ May I suggest to the hon. Member that, if he wants information for one or two reserved forests in the district, it will be convenient if he will say so. We might then be able to collect the information for him without much labour. Until I know that such information would serve a useful purpose, I am afraid I cannot call for information for all the reserved forests in that district as desired by the hon. Member.”

[7th February 1924]

Grievances of ryots in the villages situated within a mile of forest reserves.

207 Q.—MR. YAHYA ALI SAHIB: Will the hon. the Home Member be pleased to state—

(a) whether a committee has been appointed for the Nellore district to inquire into the grievances of the ryots in respect of reserves lying within a mile of the village-site or the cultivated area of a village, as recommended generally for all districts in the Resolution of the Legislative Council, dated 6th February 1923; and

(b) if not, why not?

A.—(a) No.

(b) The hon. Member is referred to G.O. No. 742, Development, dated 23rd May 1923, which has been placed on the Editors' Table.

Extensive thefts of valuable timber trees in the Attapadi and Silent valleys.

11-30 a.m. 208 Q.—MR. S. SATYAMURTI: Will the hon. the Home Member be pleased—

(i) to state—

(a) whether it is a fact that extensive thefts have taken place in respect of valuable timber trees in the reserve forests of the Attapadi and Silent valleys, Walluvanad taluk, Malabar district;

(b) whether it is a fact that the attention of the District Forest Officer, Palghat, was drawn to the aforesaid thefts;

(c) whether the Conservator of Forests, VI Circle, has taken any steps to prevent such thefts in the future and to bring to book the offenders;

(d) whether it is the duty of the Forest Department to investigate and prosecute the culprits;

(e) whether the rules published by the Government in the Forest Manual provide that such complicated and doubtful cases and cases which involve large sums of money should be prosecuted, and why these rules have not been followed in this case;

(f) whether the Forest Department is working at a loss to the Government; and

(ii) to place on the table all the papers connected with the above case?

A.—(i) (a) There have been illicit fellings in the reserved forests referred to.

(b) to (d) Yes.

(e) Yes: the evidence forthcoming in this case was not such as to justify a prosecution.

(f) No.

(ii) The papers cannot be placed on the table.

MR. K. PRABHAKARAN TAMPAN:—“Will the Government be pleased to appoint a special Forest Officer or a C.I.D. Officer to collect evidence so that we may know the exact nature and extent of the thefts and conduct prosecutions?”

The hon. Sir ARTHUR KNAPP:—“No, Sir, I don't think any useful purpose will be served by reopening the matter. I have every confidence in the reports of Conservator of Forests and his department.”

7th February 1924]

Mr. K. PRABHAKARAN TAMPAN :—“ May I also ask, Sir, whether the matter was brought to the notice of the Forest Committee and their advice taken ? ”

The hon. Sir ARTHUR KNAPP :—“ Not so far as I am aware, Sir.”

Grazing fees in the Anchetti and Denkanikottah ranges of the Salem district.

209 Q.—Rao Sahib S. ELLAPPA CHETTIYAR : Will the hon. the Home Member be pleased to state—

(1) whether the grazing fees for cows and buffaloes have recently been doubled in the Anchetti and Denkanikottah ranges of the Salem district ;

(2) whether it is also a fact that in addition to this doubling of fees, the grazing is permitted *only on certain restrictions* and in only particular blocks from time to time ;

(3) whether it is a fact that the block system of grazing is hard on the men and cattle in the locality ;

(4) whether there is any block system now in force in the Bhavani and Kollegal taluks of Coimbatore district ; and

(5) whether the Government have any intention of abolishing the block system as a special case in this district ?

A.—(1) No.

(2) Grazing is allowed subject to certain restrictions. Certain blocks are closed for grazing.

(3) The Government have received no complaints to this effect.

(4) No.

(5) No such proposal is under consideration.

The ‘ Shrub and fuel forest ’.

210 Q.—Mr. M. RATNASWAMI : Will the hon. the Home Member be pleased to state the total area of the class of forest land known as ‘ Shrub and fuel forest ’ ?

A.—‘ Shrub and fuel forests ’ are not a recognized class of forests and it is not, therefore, possible to give the information asked for.

Jails.

The late Pandit Vaj Pai.

211 Q.—Mr. C. V. VENKATARAMANA AYYANGAR : Will the hon. the Home Member be pleased to state—

(a) if the Government have received any report about the death of Pandit Vaj Pai ;

(b) whether they got any report about the state of his health before his death and, if so, when was the first report received ;

(c) whether the Government have any objection to place the whole correspondence on the table or, if that cannot be done, to issue a communiqué regarding his sentence, stay at the jail and death ?

A.—(a) Yes.

(b) No.

(c) There has not been any correspondence on the subject. If the hon. Member specifies any point on which he desires information, it will be furnished if possible.

[7th February 1924]

Mr. C. V. VENKATARAMANA AYYANGAR :—“ Will the Government be pleased to call for information regarding the state of his health just before his death ? ”

The hon. Sir ARTHUR KNAPP :—“ We have the information, Sir. But if the hon. Member's intention in clause (b) of his question is to ask exactly when Government received the first report about the state of his health, I shall look up the papers, Sir.”

Mr. C. V. VENKATARAMANA AYYANGAR :—“ It does not matter when the information was got and as to what period it had reference. We want all informations about his health to be published whether they were received before or after his death.”

Mr. C. RAMALINGA REDDI :—“ Sir, I suppose this is a case in which he was sent to jail under security proceedings. I should like to ask the hon. the Home Member whether he at any time received a report from the Superintendent of the Jail to the effect that his health was very serious and that it would be ridiculous to keep him in jail under security proceedings.”

The hon. Sir ARTHUR KNAPP :—“ As I have already explained, Sir, clause (b) is an inquiry whether at the time of the prisoner's death Government received any report from the jail as to his health. The answer is ‘ No ’.”

Mr. C. RAMALINGA REDDI :—“ This is a very important matter, Sir. The prisoner died the day after he was sent out of jail. Surely the death would not have occurred so suddenly ; for some time past he was mere skin and bones . . . ”

The hon. Sir ARTHUR KNAPP :—“ This is not a supplementary question. This is a speech.”

Mr. C. RAMALINGA REDDI :—“ I should like to ask the hon. the Home Member whether it was not the duty of the Superintendent of the Prison to inform the Government as to the state of his health and leave to them the responsibility of keeping him there or letting him go.”

The hon. Sir ARTHUR KNAPP :—“ I may refer the hon. Member to the Jail Manual wherein the duties of a Superintendent are laid down. He does not report to the Government unless there is an urgent necessity to release the prisoner and if he thinks that he is not likely to recover if he is released.”

Diwan Bahadur P. KESAVA PILLAI :—“ Is there no provision in the Jail Code that if there is no hope of recovery for a prisoner he should be released ? ”

The hon. Sir ARTHUR KNAPP :—“ Speaking within my recollection, Sir, the Superintendent reports to Government about the ill-health of a prisoner only when his recovery is likely if he is released.”

Mr. C. RAMALINGA REDDI :—“ If I am wrong, my hon. Friend will correct me. I was under the impression that in the case of a man who had been confined in prison under security proceedings, it was the duty of the Superintendent to inform the Government that his health was bad, that he was not capable of any more mischief and that he might be released.”

The hon. Sir ARTHUR KNAPP :—“ I am aware of no such thing, Sir. In any case he could have obtained the release by giving the security.”

7th February 1924]

Mr. C. RAMALINGA REDDI :—“ So far as my information goes, he refused to do so acting under a principle, with which we may not agree. But it is obvious from our own Jail Code that some amount of humanity is expected to be shown ? ”

The hon. Sir ARTHUR KNAPP :—“ A great deal of humanity is exercised in these cases.”

Mr. C. RAMALINGA REDDI :—“ If there is no such provision, will the Home Member kindly consider the advisability of the adoption of such a provision, especially when it is most absurd to keep a man in such a condition there ? ”

The hon. Sir ARTHUR KNAPP :—“ On a point of order, Sir, I may say that the hon. Member may bring in a resolution to alter the Jail Manual to that effect.”

Sriman SASIBHUSHANA RATH Mahasayo :—“ Was not Vaj Pai in a special division of the jail ? ”

Mr. C. RAMALINGA REDDI :—“ I shall add only one question, Sir, so that my hon. Friend may answer both. In view of the very painful impression produced by this case, will my hon. Friend be pleased to examine the case in the light of the discussion now proceeding, so that in future at any rate no such thing will occur ? ”

The hon. Sir ARTHUR KNAPP :—“ I am quite prepared to accept the suggestion in the first few words. I am prepared to examine the matter.”

Political prisoners in the Presidency.

212 Q.—Mr. C. V. VENKATARAMANA AYYANGAR : Will the hon. the Home Member and the hon. the Law Member be pleased—

(i) to give a list of the political prisoners in this Presidency with the nature of their offences and sentences ; and

(ii) (a) to state whether the Government have issued any orders for treating the political prisoners differently from others and, if so, whether the Government have any objection to publish the papers connected with those orders ;

(b) if no such orders have already been passed, whether the Government have any objection to form a Committee to frame some rules on the subject ?

A.—(i) There is no separate classification of convicts under the heading ‘ Political Prisoners ’. The number of persons in jails on 26th December 1923 undergoing imprisonment for offences committed against the State was 14.

(ii) (a) No. But in G.O. No. 1401, Judicial, dated 12th December 1922 (which has been placed on Editors’ Table), the Government called the attention of all magistrates and criminal courts to the powers they possess of nominating certain prisoners for imprisonment in a special division.

(b) The Government are not prepared to form such a Committee.

[7th February 1924]

Mr. C. V. VENKATARAMANA AYYANGAR :—"As regards subdivision (ii) have the Government any objection to issue an order that political prisoners should be placed in a separate division. It should not be left to the discretion of the magistrates?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—"There is no separate classification as 'Political Prisoners'. The Government, however, have called the attention of all magistrates and criminal courts to the powers they possess of placing certain prisoners for imprisonment in a special division. I am sure they would exercise their powers adequately."

Mr. C. V. VENKATARAMANA AYYANGAR :—"I want the Government to consider the advisability of placing political prisoners including those imprisoned under security chapters in the special division instead of leaving them to the discretion of the magistrates."

The hon. the PRESIDENT :—"Since this is a suggestion for action, the hon. the Law Member need not answer unless he chooses to answer."

Mr. C. V. VENKATARAMANA AYYANGAR :—"He is not bound to answer; but if the hon. the Law Member cares, he may do so."

Mr. C. RAMALINGA REDDI :—"Sir, may I also ask the hon. the Law Member to consider the possibility of creating a special division for the political prisoners? They are there not for any violence to person or property but because of opinions held."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"We will consider that, Sir."

Imprisonment of certain Congress volunteers.

213 Q.—Mr. T. ADINARAYANA CHETTIYAR : Will the hon. the Home Member and the hon. the Law Member be pleased to state—

(a) how many of the Congress volunteers are still detained in prison under the Security Section of the Criminal Procedure Code for having taken part in an anti-drink campaign in Madura district;

(b) whether a large number of these were arrested merely because they had declared themselves as Congress volunteers without their having ever done any overt act of even peaceful picketing; and

(c) whether the Government are aware that the Provincial as well as the District Congress authorities openly and publicly stopped the picketing campaign many months ago and have not re-started it?

A.—(a) At the end of December, the number of persons in jail as a result of offences committed during the Madura picketing campaign was 92. The Government do not know how many of these were Congress volunteers.

(b) No.

(c) Yes.

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"In view of the answer given that the campaign had been stopped and that there is no prospect of re-starting it, will the Government consider the desirability of taking steps to release those in jail?"

7th February 1924]

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I may state that the persons who are now in jail are those against whom there was sufficient evidence of acts of violence such as tripping up people and trying to brand them. It is that class of people that is in prison. I have made it also perfectly clear that if they apologized for their acts of violence, Government will consider their cases. They have not done so."

Mr. C. RAMALINGA REDDI :—" Has the attention of the hon. the Law Member been drawn to a letter issued by Mr. C. Rajagopala Chari of Salem saying that a number of these people have not been guilty of any act of violence? They were arrested simply because they declared their intention to become volunteers. Since the statement comes from such a quarter it deserves some credit, and some consideration."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" Having arrived at that conclusion, investigation was set on foot. I am sorry to say that the statement from Mr. C. Rajagopala Chariar could not be taken to be accurate."

Mr. ABBAS ALI KHAN :—" How many of these Madura volunteers were guilty of branding and tripping up people? I suppose none."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" That is our information."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" May I know, Sir, why these people are sent to jail under security section, if these people are guilty of actual violence?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—" That is within the discretion of the Magistrate, Sir."

Mr. ABBAS ALI KHAN :—" One of them is a relation of Mr. Sadasiva Ayyar, Sir. How many of these were guilty of actual violence?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I am afraid I cannot answer this question. These men, I may say, would not have been where they are if they had not committed deeds of violence."

Mr. ABBAS ALI KHAN :—" Sir, has the attention of the hon. the Law Member been drawn to the words of the convicting Magistrate that these men were not actually guilty of violence?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I am not responsible for the sentence in the Magistrate's judgment."

Mr. C. V. VENKATARAMANA AYYANGAR :—" Sir, the hon. the Law Member has said that he is not responsible for the judgment of the Magistrate. I suppose the Government here is saying that these volunteers have done acts of violence when their own Magistrate says they have not."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I hold that Government is not bound by any sentence in the Magistrate's judgment. It is an obiter dictum. The judgment of any learned judge binds no one. It does not bind the Government, nor does it bind himself."

Mr. ABBAS ALI KHAN :—" Has the Government read the judgment?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—" Government have read the judgment."

[7th February 1924]

Law and Order in Malabar.*Number of Mappillas convicted of various offences.*

214 Q.—Mr. T. M. MOIDU SAHIB: Will the hon. the Home Member be pleased to state how many Mappillas have been convicted—

- (a) for murder (i) actual, and (ii) constructive, respectively
- (b) for waging war,
- (c) for dacoity and theft,
- (d) for mischief, and
- (e) for other offences?

- A.—(a) One hundred and twenty-seven Mappillas have been convicted of murder.
- (b) Four hundred and eighty-four Mappillas have been convicted of waging war. Those convicted of murder and waging war number 496.
- (c) to (e) The Government have no information but have called for it.

Number of Mappillas sentenced to various kinds of punishment.

215 Q.—Mr. T. M. MOIDU SAHIB: Will the hon. the Home Member be pleased to state the number of Mappillas sentenced (1) to be shot dead, (2) to be hanged, (3) to transportation for life, (4) to transportation for seven years and upwards except for life, (5) to imprisonment for ten years and upwards, (6) to imprisonment over seven years up to ten years, (7) to imprisonment for periods above two years and below seven years, and (8) to imprisonment for two years and less?

- A.—(1) Thirty-eight.
- (2) Three hundred and eight.
- (3) Seven hundred and sixty-one.
- (4) to (8) The Government have no information but have called for it.

Loans issued to the sufferers of the Mappilla rebellion in Malabar.

11-45 a.m.

216 Q.—Mr. K. UPPI SAHIB Bahadur: Will the hon. the Home Member be pleased to state—

(a) what amount has been advanced by the Government under the Agricultural Loans Act to (i) Mappillas, (ii) Hindus and (iii) Europeans respectively, in the rebellion area in Malabar;

(b) (i) how many Mappillas, (ii) how many Hindus and (iii) how many Europeans have received such loans;

(c) what is the highest amount and what the lowest amount of such loans given to any single individual or firm among (i) Mappillas, (ii) Hindus and (iii) Europeans respectively; and

(d) whether it is a fact that the authorities at any time issued instructions to the officers concerned not to give such loans to Mappillas?

- A.—(a) & (b) The attention of the hon. Member is invited to the District Magistrate's report on the grant of loans published in G.O. No. 176, Public, dated 6th March 1923. The Government have no further information.

7th February 1924]

- (c) The Government are not in possession of the figures asked for.
- (d) No. The attention of the hon. Member is invited to the last sub-paragraph of paragraph 2 (ii) of the Note by the Special Commissioner for Malabar Affairs recorded in G.O. No. 363, Public, dated 26th April 1922, which has been placed on Editors' Table.

MR. ABBAS ALI KHAN :—“ Will the hon. the Home Member be pleased to call for the information required in clauses (a), (b) and (c) ? ”

The hon. Sir ARTHUR KNAPP :—“ Particulars for clause (a) are to be found in the District Magistrate's report referred to in the answer.”

MR. ABBAS ALI KHAN :—“ All the information required is not to be found among the papers laid on the Editors' Table.”

The hon. Sir ARTHUR KNAPP :—“ I take it that the hon. Member refers to the District Magistrate's report. I am prepared to see that the hon. Member receives a copy of it.”

The Malabar Mappilla rebellion.

217 Q.—MR. K. UPPI SAHIB Bahadur : Will the hon. the Home Member be pleased to state—

- (a) how many Mappillas have suffered (i) death, (ii) personal injury and (iii) loss of property at the hands of the Mappilla rebels ;
- (b) how many petitions of complaint against the conduct of the Police and the Adhikaries in connexion with the Malabar rebellion have been received by the authorities ;
- (c) how many of them have been enquired into and disposed of and with what result ; and
- (d) how many of them are still pending inquiry ?

A.—(a) The attention of the hon. Member is drawn to the answer to question No. 466 given in 1922.

(b), (c) & (d) The Government have no information, but will make enquiries as to the number and the results of enquiries made.

Special Police Force in Malabar.

218 Q.—Diwan Bahadur M. KRISHNAN NAYAR : Will the hon. the Home Member be pleased to state whether there is a proposal before the Government to reduce the strength of the special Police Force stationed in Ernad and Walluvanad in the district of Malabar, and, if so, to what extent ?

A.—No.

Strength of the Police Force in Malabar.

219 Q.—Diwan Bahadur M. KRISHNAN NAYAR : Will the hon. the Home Member and the hon. the Law Member be pleased to state—

- (a) whether there is a proposal before Government to reduce—
 - (i) the strength of the ordinary Police Force in Malabar, and, if so, to what extent ;
 - (ii) the number of Police circles in Malabar, and, if so, by how many ;
- and

[7th February 1924]

(iii) the number of police outposts in Malabar, and, if so, by how many; and

(b) whether it is a fact that there are complaints that even the number of police stations and outposts that exist in the district at present is inadequate?

A.—(a) There are no such proposals with special reference to Malabar. The Government have, however, on the suggestion of the Police Committee, directed an examination of the possibility of reducing the number of stations and outposts throughout the Presidency as a whole.

(b) The Government have received no such complaints.

Hindus forcibly converted during the Mappilla rebellion.

220 Q.—MR. K. PRABHAKARAN TAMPAN: Will the hon. the Home Member be pleased to state—

(a) the estimated number of (1) Hindus who were forcibly converted by the Mappillas during the rebellion and (2) those that were reconverted to their old faith after peace was restored;

(b) knowing that the reconverted Hindus are generally treated with special vengeance by the fanatic Mappillas, whether Government have taken any precautionary steps to create a feeling of safety among the former class of people; if so, what; and

(c) whether it is a fact that a Maulana representing some Moslem organization at Poona forcibly converted a Tiyya woman of Nilambur and her five children after bringing them over to Calicut; if so, whether the Government have taken any steps to punish him?

A.—(a) The Government have already stated in this Council that they have no accurate information and for obvious reasons have purposely refrained from collecting it.

(b) The Government are fully alive to the facts of the situation and have taken and will continue to take what action they find necessary and possible in individual cases. It would be impossible in a reply to a question of this kind to set forth their whole policy in the matter.

(c) If the hon. Member is referring to an incident which was reported in the newspapers in July 1922, the Government's information was that it was not a case of forcible conversion.

Abolition of certain Military Police stations in Malabar.

221 Q.—MR. K. PRABHAKARAN TAMPAN: Will the hon. the Home Member be pleased to state—

(a) whether he has proposed to abolish some of the Military Police stations in Malabar; if so, which;

(b) whether in consequence of this the strength of military policemen employed at present will be reduced; if so, by how much; and

(c) whether the district authorities have been consulted in the matter and whether they have agreed to the proposal?

A.—(a) There is no proposal at present to abolish any of the Military Police stations in Malabar.

(b) & (c) The questions do not arise.

7th February 1924]

Report of the Mappilla rebellion.

222 Q.—Mr. K. PRABHAKARAN TAMPAN: Will the hon. the Home Member be pleased to state—

(a) whether the history of the recent Mappilla rebellion in Malabar for writing which Mr. Hitchcock, Superintendent of Police, was placed on special duty has been published;

(b) when the book will be available for the public; and

(c) how many copies were printed and how much it has cost, including the author's salary for the period he was employed on special duty?

A.—(a) No.

(b) & (c) Mr. Hitchcock's book is intended only for official use. The Government are, however, contemplating the publication of an abridged edition for sale to the public and until this point has been decided they cannot state what the total cost of the publication will amount to.

Mr. K. PRABHAKARAN TAMPAN:—“May I know if the Officer on special duty has submitted his report to the Government?”

The hon. Sir ARTHUR KNAPP:—“The Government have received the manuscript from the Special Officer, and it is in the press.”

Mr. ABBAS ALI KHAN:—“May I know what the price of a copy of the report will come to?”

The hon. Sir ARTHUR KNAPP:—“I do not think the price has been fixed.”

Mr. ABBAS ALI KHAN:—“Will the hon. Member be pleased to give a copy to the Legislative Council library?”

(No answer.)

Military.

The Indian Territorial Force.

223 Q.—Mr. M. RATNASWAMI: Will the hon. the Home Member be pleased to state—

(1) in what manner and to what extent the Madras Government have so far encouraged the formation of Indian Territorial Force units in the Presidency;

(2) the present strength of the Indian Territorial Force in the Presidency; and

(3) the parts of the Madras Presidency where these units have been formed?

A.—(1) The Government have provided an Indian Territorial Force Advisory Committee as required by the Act. The Government, in addition to requiring Collectors to lend all possible assistance to the Military officers charged with the raising of the territorial units, have placed facilities in the way of Government servants joining the Force, subject to the requirements of the service and the responsibilities which service entails, and have agreed to pay those who join the difference between their military and civil pay during training when the latter is higher than the former.

[7th February 1924]

(2) The sanctioned strength of each unit is 740. The Government have recently received a report from the Military authorities that the units were nearly up to strength.

(3) The four Indian Territorial Force units in the district are as follows :—

11/3rd Battalion, Madras Regiment (Trichinopoly).

12/3rd Battalion, Madras Regiment (Malabar), (Cannanore).

13/3rd Battalion, Madras Regiment (Malabar), (Cannanore).

14/3rd Battalion, Madras Regiment (Coorg), (Mercara).

Sanction for the formation of three extra companies of the University Training Corps has also been obtained and this Corps has been designated No. 5 (Madras) Battalion, University Training Corps.

Mr. M. RATNASWAMI :—“ Will the hon. Member in charge be pleased to state whether any, and, if so, what action has been taken to form a Territorial Force in the Central and the Northern districts ? ”

The hon. Sir ARTHUR KNAPP :—“ I think the answer to this question is contained in the printed answer to clause (1). ”

Mr. M. RATNASWAMI :—“ My question is whether the special circumstances which exist in the Southern districts, especially in Malabar which has two Territorial units, do not exist in the Central and Northern districts to make it necessary to have a Territorial unit there ? ”

The hon. Sir ARTHUR KNAPP :—“ My answer to that will be that the decision where it is best to raise a unit rests with the Military authorities who act in consultation with the Government. I am not prepared to say off-hand whether the Military authorities would be able to raise a unit in the Central and Northern districts or not. If the Military authorities think it possible to raise a unit in these districts, the Government will be prepared to support them. ”

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—“ In the districts of Godavari and Kistna there are a number of men prepared to undergo training in the University Training Corps. ”

The hon. Sir ARTHUR KNAPP :—“ I am quite aware of it. But whether there is a sufficient number forthcoming or not, I do not know. I have no doubt that if my hon. Friend would get into touch with the officer most concerned in raising the battalions and give him all this information, he would be very thankful to him. ”

Mr. M. RATNASWAMI :—“ Will the Government and the hon. Member in charge be pleased to help the formation of Territorial units in the Central and Northern districts ? ”

The hon. Sir ARTHUR KNAPP :—“ I shall be delighted to do so. ”

Mr. C. RAMALINGA REDDI :—“ Once upon a time there was a great deal of agitation for the formation of an Andhra regiment. Therefore, the hon. Member will be well advised to do something in regard to that. ”

7th February 1924]

Police.

Representation of the depressed classes in the constabulary.

224 Q.—Mr. L. C. GURUSWAMI: Will the hon. the Home Member and the hon. the Law Member be pleased—

(a) to call for and lay on the table a statement showing the number of constables and head constables in the various districts of this Presidency; and

(b) to state how many of them are members of the depressed classes

A.—(a) The hon. Member is referred to statement D appended to the Police Administration Report.

(b) The hon. Member is referred to G.Os. Nos. 658, Public, dated 15th August 1922 and 563, Public, dated 21st July 1923, both of which have been placed on the Editors' Table. The returns called for in this latter Government Order will be published in due course and will give the information required.

Railways.

Railway line between Salem junction and Atur.

225 Q.—Mr. S. SATYAMURTI: Will the hon. the Home Member be pleased to state—

(a) whether a scheme for a railway line between Salem junction and Atur was sanctioned long ago and partly constructed;

(b) whether the railway cess was being collected on the understanding that the line would be extended to Atur; and

(c) the reasons why the scheme has been given up?

A.—(a) Yes.

(b) Not so far as Government are aware.

(c) The project has not been given up but is merely held up. The reasons for this are explained in the answer to question No. 226.

Mr. T. ADINARAYANA CHETTIYAR:—"Will the hon. Member be pleased to expedite construction of the line?"

The hon. Sir ARTHUR KNAPP:—"May I refer my hon. Friend to the answer to clause (c) of the following question 226 where it is stated that the construction of the line will depend on the settlement of the gauge question and the district board's capacity to finance or guarantee the line."

The Salem district board railway scheme.

226 Q.—Mr. V. C. VELLINGIRI GOUNDER: Will the hon. the Home Member be pleased to state regarding the Salem District Board Railway scheme—

(a) whether any reply has been received from the Railway Board about the decision of the gauge of the proposed Panruti-Trichinopoly line;

(b) why the Salem-Atur Railway scheme has been delayed, although all the preliminary works were completed long ago;

[7th February 1924]

(c) whether this is not the proper time to sanction the scheme and put it to execution so as to make it serve the object of affording relief to people during these famine days;

(d) whether it is a fact that the Salem District Board has recently submitted a new proposal to sanction the Salem-Rasipuram Railway scheme on account of the Salem-Atur Railway scheme having been under consideration for a long time with the Railway Board; and

(e) if so, how far the above proposal of the District Board has been considered by the Government?

A.—(a) Yes. The Railway Board have decided that the Villupuram-Trichinopoly Railway should be constructed on the metre gauge.

(b) As the Salem-Atur line was a feeder to the Villupuram-Trichinopoly line, the former project was held over till the gauge of the latter line had been decided. The gauge of the main line has now been decided but the question whether the Salem-Atur Railway should be built on the same gauge as the main line or on a different gauge is still under the consideration of the Railway Board.

(c) The construction of the line will depend on the settlement of the gauge question and the district board's capacity to finance or guarantee the line.

(d) Yes.

(e) The President, District Board, Salem, was asked to submit a sound scheme for financing the project and his reply is awaited.

Mr. V. C. VELLINGIRI GOUNDER :—"As regards (b), Sir, I want to know what the nature of the further consideration is. The only consideration that delayed the construction of the Salem-Atur line was the decision as regards the size of the gauge. Since that has been decided upon, what is the further consideration that delays the decision of the Railway Board in regard to that?"

The hon. Sir ARTHUR KNAPP :—"I understand my hon. Friend to be asking me to explain the process that is going on in the Railway Board which has resulted in the delay of their final decision."

Mr. V. C. VELLINGIRI GOUNDER :—"My question was this: The only consideration that delayed the construction of the Salem-Atur line was the decision as to the size of the gauge. Since that question has been decided, what is meant by saying 'it is still under the further consideration of the Railway Board'?"

The hon. Sir ARTHUR KNAPP :—"I am afraid I can only refer my hon. Friend to my answer already given. It is quite out of my power to say why the Railway Board is delaying its decision."

Mr. C. V. VENKATARAMANA AYYANGAR :—"Will the Government be pleased to ask the district board to defer any action which they may take in respect of their other lines, in order to give their full consideration to the decision of the Railway Board in regard to this line?"

The hon. Sir ARTHUR KNAPP :—"I did not quite follow the hon. Member."

7th February 1924]

Mr. V. C. VELLINGIRI GOUNDER :—“ With regard to the Salem-Rasipur line the president of the district board has been asked to submit a sound scheme for financing the project. What I submit is, till the final decision as to the size of the gauge in regard to the Salem-Atur line is reached, the Salem-Rasipur line should not be taken into consideration. Will the Government be pleased to postpone it until that question is decided ? ”

The hon. Sir ARTHUR KNAPP :—“ I understand my hon. Friend to suggest that the District Board, Salem, should be asked not to consider further the Salem-Rasipur line until the question of Salem-Atur scheme is settled. My answer is that this is a question which should be raised in the district board. This is not a matter in which the Government can in any way dictate to the district board. ”

Mr. V. C. VELLINGIRI GOUNDER :—“ Since all the preliminary works have been finished with regard to the Salem-Atur line and it has got the approval of the Railway Board, why not the Salem-Rasipuram scheme which has been suggested at a later stage be held over till the question of the Salem-Atur line is decided ? ”

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—“ Will the Government be pleased to expedite the final consideration of the Salem-Atur line so that it may be taken up before the other question is taken up ? ”

The hon. Sir ARTHUR KNAPP :—“ I am afraid the Government have no hand in it. ”

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—“ They can send a reminder to the Railway Board to expedite the matter. ”

Mr. T. ADINARAYANA CHETTIYAR :—“ The Railway Board may be asked to expedite their decision with regard to the line from Salem to Atur for which the survey has been completed and the tract has been decided ; and the only thing that remains is the acquisition of the land. Long long ago, the then Governor of Madras, Sir Arthur Lawley, when he visited Salem in reply to an address said that the line from Salem-Atur should be made a broad gauge line and the line from Salem Junction to Salem Town was made a broad gauge line for that reason. Under these circumstances will the hon. the Home Member be kind enough to request the Railway Board to expedite their decision as regards the gauge of the Salem-Atur line ? ”

The hon. Sir ARTHUR KNAPP :—“ I am afraid we are again degenerating into a debate. My reply is that the Government is anxious to see every possible railway line built in this presidency. The matter is a complicated one. There is much difficulty in getting the district board to finance the scheme which is the root of the matter. Until the district board gives us an assurance that they can finance the line, we cannot go on. ”

Railway line from Virudunagar to Tenkasi.

227 Q.—Mr. P. K. S. A. ARUMUGA NADAR : Will the hon. the Home Member be pleased to state—

(a) whether the Government have recommended to the Railway Board the construction of the new railway line to run from Virudunagar to Tenkasi (via Sivakasi) ; and

[7th February 1924]

(b) if the answer be in the affirmative, whether it is proposed to be constructed jointly by the District Boards of Ramnad and Tinnevely or by a private body?

A.—(a) Yes.

(b) The matter is in the hands of the Railway Board. The District Boards of Tinnevely and Ramnad have declared their inability to construct the line.

Mr. P. K. S. A. ARUMUGA NADAR:—“With regard to (a), may I know at what stage the matter stands?”

The hon. Sir ARTHUR KNAPP:—“It stands exactly as stated in the answer. The Government have recommended it to the Railway Board.”

Third-class passengers' shed in the Nandyal railway station.

228 Q.—Mr. K. SARABHA REDDI: Will the hon. the Home Member be pleased to state—

(a) whether the Government are aware that the third-class passengers' shed in the Nandyal railway station is far away from the booking office; and

(b) if so, whether the Government will consider the desirability of providing for one close to the booking office?

A.—(a) The Government have no information.

(b) The matter is not one which is under the control of the Local Government.

Railway freight on grains.

229 Q.—Mr. MUHAMMAD MUSA SAIT: Will the hon. the Home Member be pleased to state—

(a) whether the Madras and Southern Mahratta Railway and South Indian Railway (the feeding Railway of Madras) have increased their freight rates on grains;

(b) if so, on what ground;

(c) the percentage of increase as compared with the years of 1911 and 1912?

A.—The Government have no information.

Khan Bahadur KHALIF-UL-LAH SAHIB:—“Will the Government be pleased to call for the information?”

The hon. Sir ARTHUR KNAPP:—“I am afraid I cannot undertake to do that. It has been pointed out on more than one occasion that the local Government have no control over the Railways. The Railways are under the Government of India and any question connected with the management of railways ought to be addressed to the Government of India in the Legislative Assembly or the other House.”

Transport of grain.

230 Q.—Mr. MUHAMMAD MUSA SAIT: Will the hon. the Home Member be pleased to state the volume of traffic in grain carried to and from Madras,

7th February 1924]

Rayapuram, Salt Cottours and Beach railway stations both by the Madras and Southern Mahratta Railway and South Indian Railway during the years 1922-23 and 1911-12 and also their earnings?

A.—The Government have no information.

Survey and Settlement.

Settlement operations in the Trichinopoly district.

231 Q.—Mr. M. R. SETURATNAM AYYAR: Will the hon. the Home Member be pleased to state—

- (a) whether the Government have received the preliminary scheme report of settlement operations for the Trichinopoly district; and
- (b) if the answer is in the negative, when it is due?

A.—(a) & (b) The scheme report has been received and was published on the 13th January 1924

Collection of survey charges in Wynad.

232 Q.—Diwan Bahadur M. KRISHNAN NAYAR: Will the hon. the Home Member be pleased to state—

- (a) whether the Government have received a memorial from the landowners of Wynad regarding the collection of survey charges;
- (b) whether the Collector of Malabar has expressed any, and, if so, what opinion on that memorial;
- (c) whether, since the last settlement in Wynad, agricultural lands have been relinquished or sold for arrears of revenue, and, if so, what is the extent of the lands thus sold or relinquished;
- (d) what was the area of the agricultural land under occupation at the time of the last settlement in Wynad and what is the extent now;
- (e) whether there has been any and, if so, what fall in the amount of the annual land revenue in Wynad since the last settlement; and
- (f) what is the amount of survey charges proposed to be collected from the landowners of Wynad now and what is the amount of annual land revenue at present?

A.—(a) The Secretary, Wynad Janmi Mahajana Sangham, has submitted direct to Government a copy of the memorial prepared by the sangham.

(b) The Collector's remarks have not yet been received.

(c), (d), (e) & (f) The Government have no information.

Diwan Bahadur M. KRISHNAN NAYAR:—"Will the hon. the Home Member be pleased to call for the information required under clauses (c), (d), (e), and (f)?"

The hon. Sir ARTHUR KNAPP:—"I think it would be wise to wait and see the remarks of the Collector on the memorial in question. The Government may then call for the information."

Diwan Bahadur M. KRISHNAN NAYAR:—"Will the hon. Member be pleased to ask the Collector to send up his report urgently?"

The hon. Sir ARTHUR KNAPP:—"Does the hon. Member suggest that this is a matter of very great urgency?"

[7th February 1924]

Diwan Bahadur M. KRISHNAN NAYAR :—“ Yes, because I understand the survey authorities are about to collect the charges. That is my information. If the Collector's views are available to the memorialists, it will be of considerable assistance to them.”

The hon. Sir ARTHUR KNAPP :—“ Yes, I am prepared to tell the Collector to authorize the suspension of the collection of this survey charge.”

Diwan Bahadur M. KRISHNAN NAYAR :—“ Will the hon. Member be pleased to publish the report of the Collector so that the people may know what the Collector's views are ? ”

The hon. Sir ARTHUR KNAPP :—“ Yes, I am prepared to do that.”

Resettlement proposals in the Bellary district.

233 Q.—Mr. S. SATYAMURTI : Will the hon. the Home Member be pleased to state whether the Government have accepted, or propose to accept, the resolution of the Legislative Council regarding the postponement of the resettlement proposals in the Bellary district ?

A.—The question is engaging the attention of Government.

Mr. P. SIVA RAO :—“ Have the Government issued any orders for the non-collection of the increased rates pending the revised rules of the Government in the matter ? ”

The hon. Sir ARTHUR KNAPP :—“ Sir, to the best of my information, the increase is not being collected.”

Mr. P. SIVA RAO :—“ Is there any proposal not to levy the increased rates during the current fasli in view of the distress prevailing in that district ? ”

The hon. Sir ARTHUR KNAPP :—“ Such a proposal has been made.”

Mr. P. SIVA RAO :—“ Has any decision been arrived at on that proposal ? ”

The hon. Sir ARTHUR KNAPP :—“ No.”

Mr. P. SIVA RAO :—“ May I know when the decision of the Government is likely to be announced regarding that proposal ? ”

The hon. Sir ARTHUR KNAPP :—“ I am unable to answer that question at present.”

Civil Justice.

Rates to be levied from creditors for sending debtors to civil jails.

234 Q.—Mr. P. PEDDIRAJU : Will the hon. the Law Member be pleased

(i) to state—

(a) whether the Government have moved the High Court to frame rules raising the rates levied from the creditors of debtors in civil jails ;

(b) if so, whether the High Court has sent any reply ; and

(ii) if the answer to (b) is in the affirmative, to place the papers on the table ?

7th February 1924]

A.—The attention of the hon. Member is invited to the amendments to sub-rules (4) and (5) of rule 39 of Order No. XXI of the First Schedule of the Code of Civil Procedure, 1908, issued by the High Court with the previous sanction of the Governor in Council and notified on page 1766 of Part II of the *Fort St. George Gazette*, dated the 25th September 1923.

Additional District Court, East Tanjore.

235 Q.—Mr. C. MARUTHAVANAM PILLAI: Will the hon. the Law Member be pleased to state—

(a) what is the exact amount of annual charges incurred by the Government in connexion with the maintenance of an additional District Court for East Tanjore at Negapatam;

(b) whether the pressure of litigation in Tanjore district necessitates the existence of this court; and

(c) whether the Government mean to give effect to the recommendation of the Retrenchment Committee with regard to the immediate abolition of the said court?

A.—(a) The Government are not in possession of the exact amount of annual charges. The expenditure based on the average cost is Rs. 48,568 per year.

(b) Yes; the court has been sanctioned for a year from 1st January 1924.

(c) No.

Appointment of Nadars in the Judicial service.

236 Q.—Mr. P. K. S. A. ARUMUGA NADAR: Will the hon. the Law Member be pleased to state whether Nadars have been appointed as District Munsifs, Sub-Judges and District Judges?

A.—There are no Nadar Sub-Judges or District Munsifs at present. Information as to whether there were any Nadar Sub-Judges or Munsifs in the past is not readily available.

Mr. A. CHIDAMBARA NADAR:—“May I ask, Sir, whether the Government will consider the question of appointing one Nadar at least in the Judicial service?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“Mr. President, I should rejoice to see if a Nadar could be appointed in the Judicial service, but District Munsifs are recruited by the High Court. If there is any Nadar gentleman qualified for the post of either a Sub-Judge or a District Judge, I shall only be too glad to recommend to His Excellency for the necessary appointment.”

Mr. A. CHIDAMBARA NADAR:—“Has there been any petition with regard to any District Judge's post?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“I think on an average the Government have received five petitions from various communities that District Judges may be appointed from each particular community.”

[7th February 1924]

The hon. the PRESIDENT :—“ Honourable Members are aware that it is now 12 o'clock, and out of the 66 pages of questions and answers, we have reached only the 20th page. Standing Order No. 8 is to the effect that the first hour of every sitting shall be available for the asking and answering of questions. I take it to mean, unless the hon. the Law Member or anybody else is of the contrary opinion, that more time may be made available, and I propose to go on with questions and answers.”

Execution of decrees time-barred on account of the Mappilla rebellion.

237 Q.—Mr. V. MADHAVA RAJA : Will the hon. the Law Member be pleased to state the action taken by the Government to redress the loss caused to parties in the affected area in Malabar in cases where the execution of civil decrees became time-barred during the late rebellion ?

A.—No such case has been brought to the notice of the Government.

Companies.

Joint Stock Companies.

238 Q.—Mr. SAMI VENKATACHALAM CHETTIYAR : Will the hon. the Law Member be pleased to state the number of Joint Stock Companies which came into existence in the Presidency during the last five years and how many of these and the old ones were wound up during the said period ?

A.—The hon. Member is referred to the annual administration reports on the working of the Indian Companies Act, 1913, placed on the Editors' Table.

Criminal Justice.

The Imperial Bank fraud case.

239 Q.—Mr. S. SATYAMURTI : Will the hon. the Law Member be pleased—

(a) to place all the papers connected with the appointment by the Government of the Advocate-General and of Mr. Nugent Grant to conduct the Imperial Bank fraud case, on the table ; or

(b) to state all the facts connected therewith ?

239-A Q.—Mr. S. SATYAMURTI : Will the hon. the Law Member be pleased to state—

(a) whether the Crown Prosecutor was asked in the usual course to conduct the Imperial Bank fraud case and he declined, and, if so, for what reasons ; and

(b) whether those reasons were considered satisfactory by the Government ?

239-B Q.—Mr. S. SATYAMURTI : Will the hon. the Law Member be pleased to state—

(a) whether it is not true that Mr. Nugent Grant saw him in connexion with the Imperial Bank fraud case before the papers had come up to him officially, and he promised to appoint him as Special Public Prosecutor ;

7th February 1924]

(b) whether a Government Order was issued declining to appoint Mr. Nugent Grant as Special Public Prosecutor; and

(c) whether he will place the said Government Order on the table of this House?

239-C Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(a) whether his attention has been drawn to the report in the newspapers of the first hearing of the Imperial Bank fraud case before the Chief Presidency Magistrate; and

(b) whether the statements then made by Mr. Nugent Grant and the Commissioner of Police that Mr. Grant would be appointed as Special Public Prosecutor are correct?

239-D Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(a) whether a new Government Order has been issued appointing the Advocate-General and Mr. Nugent Grant as Public Prosecutors to conduct the Imperial Bank fraud case;

(b) the reasons for these appointments; and

(c) whether he will place a copy of the Government Order on the table?

239-E Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state whether in issuing the Government Order referred to in Question No. 196, his attention has been drawn to—

(a) the provisions of sections 492 and 493 of the Criminal Procedure Code;

(b) the fact that Mr. Nugent Grant had been paid and was to be paid a heavy fee by the real complainant in the case, viz., the Imperial Bank;

(c) the judgment of Coutts-Trotter, J., in C.S. No. 527 of 1919, delivered on 15th March 1921 and His Lordship's remarks therein strongly condemning the practice now authorized by the said Government Order of engaging a person paid by a private party as a Public Prosecutor; and

(d) a Government Order, dated the 31st July 1916, directing that such persons should not be engaged as Public Prosecutors?

239-F Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(a) the fees to be paid to the Advocate-General by the Government for the conduct of the Imperial Bank fraud case;

(b) the probable amount which will have to be spent on that account;

(c) whether Mr. Nugent Grant is to be paid any fees by the Government;

(d) whether he has been paid any fees by the Imperial Bank; and

(e) what are the fees he is to be paid for conducting this case?

239-G Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(a) whether he, at one time, i.e., before the Crown Prosecutor declined to conduct the Imperial Bank fraud case, considered him fit to conduct this case; and

(b) the reasons why he now thinks the services of the Advocate-General and of Mr. Nugent Grant are necessary to conduct this case?

[7th February 1924]

239-H Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state whether—

(a) he has any intention of asking Mr. Nugent Grant to return to the Imperial Bank the fees he has taken from them and to take no more fees from them; or

(b) in the event of his refusal, he has any intention of cancelling his appointment as Special Public Prosecutor in the Imperial Bank fraud case?

239-I Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(a) whether a Government Order has been issued in modification of an earlier Government Order directing that the Advocate-General need not conduct the prosecution in the Imperial Bank fraud case and entrusting the sole conduct of the case to Mr. Nugent Grant;

(b) the reasons for the issue of this new Government Order; and

(c) the grounds on which this Government Order entrusting the conduct of a State prosecution to a counsel paid by a private party is sought to be reconciled with

(i) the well-known practice in all civilized countries of entrusting the conduct of such cases only to public prosecutors retained and paid by the Government,

(ii) the previous Government Orders of the Government of Madras, directing that public prosecutors should receive no payment from private parties, and

(iii) the judgment of Mr. Justice Coutts-Trotter in C.S. No. 527 of 1919 on the file of the Madras High Court?

239-J Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(a) whether the Police or the Imperial Bank or both approached him at any time with a request to appoint Mr. Nugent Grant as Special Public Prosecutor to conduct the Imperial Bank fraud case;

(b) whether it is true that Mr. Nugent Grant was paid a fee, examined the books of the Bank and advised a prosecution before the complaint was filed and the amount of that fee;

(c) what are the fees which Mr. Nugent Grant has so far received or will receive from the Bank for the conduct of this case;

(d) whether the Government are paying him any fees;

(e) whether Mr. Nugent Grant was approached by the Government to pay back the fees he has taken from the Bank and he declined;

(f) whether it is true that, throughout, the attempt of the Police and the Bank has been to see that no Indian shall conduct the prosecution in this case;

(g) whether the Police declined to instruct the Advocate-General in this case;

(h) whether the Police, at any time, did instruct the Advocate-General; and

(i) whether the Advocate-General was a consenting party to his being sent out of the case?

7th February 1924]

239-K Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(a) whether his attention has been drawn to a resolution of the Madras High Court Vakils' Association, expressing its disapproval of the action of the Madras Government in having entrusted the conduct of the prosecution in the Imperial Bank fraud case to Mr. Nugent Grant, Counsel, originally retained by the Bank;

(b) whether the Government have paid, or are going to pay, any fee to Mr. Nugent Grant for conducting their case, and, if so, what sum or at what rate; and

(c) whether Mr. Nugent Grant has been paid, or is going to be paid, by the Bank, and, if so, what sum or at what rate?

A.—The Government must decline to answer these questions until after the termination of the proceedings in the Presidency Magistrate's Court, but the Government propose to issue a communiqué setting out all the circumstances in which an exceptional course was pursued in this case necessitating the engagement of Counsel other than one of the Law Officers of the Crown.

Dr. P. Varadarajulu Nayudu.

240 Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(a) the source of information on which he based his answer to Mr. T. Adinarayana Chettiyar's question in the Council held on 12th December 1923 that Dr. P. Varadarajulu Nayudu had invited the Japanese to invade India; and

(b) whether his attention has been drawn to the public denial of this statement by Mrs. Varadarajulu Nayudu?

A.—(a) The information on which the answer was based was the shorthand report of a speech delivered by Varadarajulu Nayudu at Kallidaikurichi in the Tinnevely district on 22nd March 1923, in which the following passage occurs:—

“Some think that we must call Japan to our aid and crush this people (the British). Japan is our elder brother. If Japan is respected more, then Japan will try to claim India for themselves. Then many of us will proceed with Purnakumbhams (welcome demonstrations) and will say wholeheartedly what Japan is doing is quite right.”

The Government were strengthened in their construction of this speech by another made by him on the 24th March 1923 at Tuticorin in which amongst others this passage occurs:—

“Europeans come to India in the winter season... Then we must create some riots and some of us should go to jail.”

(b) The Government have seen no public denial of this statement by Varadarajulu Nayudu himself, but have seen a letter from Mrs. Varadarajulu Nayudu published in some newspapers.

Mr. C. RAMALINGA REDDI:—“May I put a supplementary question to the hon. the Law Member? I am sure he is as anxious as any of us not to give away the character of any one who is as qualified as he himself. It

[7th February 1924]

appears to me from what is placed before us in the answer here, that the original statement is rather too strong. I want to know in view of the information placed before us and the letter of Mrs. Varadarajulu Nayudu, a highly respected lady, which saw the light of day subsequent to the original answer of the Government (answer given on the 12th December 1923), whether the hon. the Law Member will kindly consider and see his way to modify the original statement with respect to Dr. Varadarajulu Nayudu?"

Mr. T. ADINARAYANA CHETTIYAR :—"Does the hon. the Law Member think, from the extract given here, that Dr. Varadarajulu Nayudu invited Japan to invade India? Does the hon. the Law Member think that that is the proper inference to be drawn from what is quoted here?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I do not want to draw any inferences myself. All that I can say is that all of us have read the passage which is to the following effect:

'Then many of us will proceed with Purnakumbhams (welcome demonstrations) and will say wholeheartedly what Japan is doing is quite right'.

and another passage which runs—

'Some think that we must call Japan to our aid and crush these people (the British)'.

In reply to the question which emanated from my hon. Friend from Chittoor, I may say that I am afraid that in response to what Mrs. Varadarajulu Nayudu says the Government can take no action, but if Mr. Varadarajulu Nayudu will say openly that he did not intend to do it, the Government will only be too glad to accept his statement."

Mr. C. RAMALINGA REDDI :—"In this extract it is stated that 'some think that we must call Japan to our aid and crush this people (the British). . . etc.' This is only the ex parte statement of the shorthand writer, and we do not know anything of his qualifications. But from the passage quoted here, it does not look like a very coherent statement. That itself makes me feel that Dr. Varadarajulu Nayudu himself might not have been the person to make such a statement. Here it is said 'Japan is our elder brother'. There is nothing wrong in that. Many a Member has said. . ."

The hon. the PRESIDENT :—"I am sure hon. Members would like to put supplementary questions. But seeing that we have already trespassed on the second hour of this sitting, I should like any question to be put at once."

Mr. C. RAMALINGA REDDI :—"Well, Sir, I will put my question. In view of the language of the extract given here, it does not seem to read like a coherent or reasonable statement. It is said: 'If Japan is respected more, then Japan will try to claim India for themselves'. In view of the fact that this is one of the most mystifying statements, will the hon. the Law Member be pleased to say that the definite charge categorically made that Dr. Varadarajulu Nayudu invited Japan to come to India is not proved?"

Mr. C. V. VENKATARAMANA AYYANGAR :—"May I ask whether the hon. the Law Member will be pleased to say whether the whole speech contains only this reference to Japan or whether there are any other references to Japan?"

Mr. T. ADINARAYANA CHETTIYAR :—"Will the hon. the Law Member be pleased to lay on the table the full speeches, so that any misconception may be avoided."

7th February 1924]

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I repeat, Sir, again what I said before that if Dr. Varadarajulu Nayudu says that he did not intend anything like that, the Government will only be too anxious and willing in his own interest to accept his statement. We do not propose to lay the whole speech on the table because if the fact is challenged, further action may be necessary."

Mr. C. V. VENKATARAMANA AYYANGAR :—" My question is not answered, and that is, whether this is the only reference to Japan in the whole speech or whether there are other references to it. We are not at all concerned with what Dr. Varadarajulu may or may not do."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I can speak only from memory. I think there is another reference in this speech; but there are other references to Japan in other speeches."

Mr. C. RAMALINGA REDDI :—" In view of the fact that the Government themselves not being satisfied with the passage in which Japan occurs would not bear the peculiar construction put upon it, the Government say that they were strengthened in their construction of his speech by another speech in which the following passage is said to occur :—' Europeans come to India in the winter season. . . then we must create some riots, etc. . . ' This does not seem necessarily to bear the interpretation that those riots should have any connexion with the Japanese invasion. Some other passages also are given. Would it not mean making a statement and then expecting him to disclaim it? Will the hon. the Law Member be pleased to say that on the evidence available, such an inference as was drawn was possible but that it is not irresistible? "

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I am afraid I cannot disown what I said in view of this definite statement, namely, ' Some think that we must call Japan to our aid ', that word ' us ' includes himself. It is said ' then many of us will proceed with Purnakumbhams '. Purnakumbham is of religious significance and indicates a welcome. The passage also says ' What Japan is doing is right ', that is crushing the British people."

Mr. C. RAMALINGA REDDI :—" In view of the fact that Dr. Varadarajulu Nayudu is an educated man who knows grammar he would not have said many of the words in the passages quoted."

The hon. the PRESIDENT :—" I am afraid the hon. Member is passing beyond the limits of a supplementary question."

Treatment of a certain member of the depressed classes.

241 Q.—Mr. R. VEERIAN : Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that a member of the depressed class was confined to the stocks in an obscure taluk of Trichinopoly from 10 to 2 o'clock by the village magistrate between the middle of October and the first week of November 1923 ;

(b) whether it is a fact that a petition was submitted to the Government by the President of the Depressed Classes Society, Trichinopoly, praying for an early removal of the objectionable form of punishment ;

[7th February 1924]

(c) whether it is a fact that the Government have already announced their intention to remove the above practice of village magistrates confining human beings in stocks; and

(d) if so, whether the Government will be pleased to furnish a copy of the Government Order?

A.—In November 1923, the Government received a representation from the President of the South Indian Depressed Classes Society in which it was alleged that one Mr. Seerangan had been confined in the stocks in a village called Bommanapadi in the Perambalur taluk of Trichinopoly district, some time in May last. This is presumably the case referred to, but if so the hon. Member appears to be wrong as to his dates. The Government were unable to discover the truth of the matter after such a long interval of time and informed the President of the Society accordingly. They have also informed the President that the punishment of confinement in the stocks was abolished by the Village Courts (Amendment) Act, 1919, and they have issued instructions more than once in the past to prevent the infliction of this form of punishment by those who are apparently not aware of the change in the law.

Condition of the beggars in Madras.

242 Q.—Mr. L. C. GURUSWAMI: Will the hon. the Law Member be pleased to state—

(a) the number of beggars put up by the Madras Police before the Presidency Magistrates during the current year, and how many of them have been (i) fined, (ii) sent to jail and (iii) acquitted;

(b) what action the Government have taken to prohibit those beggars who have been discharged from further begging; and

(c) if they propose to start a work-house or a poor-house to put an end to the beggar nuisance in the City of Madras?

A.—(a) The number of beggars put up before the Presidency Magistrates during the year was 139
 (i) The number of them fined was 88
 (ii) „ sent to jail was 39
 (iii) „ acquitted was 12

(b) & (c) No effective action can be taken in the absence of a beggars' home or poor-house, for which sufficient funds are not at present available.

Mr. SAMI VENKATACHALAM CHETTIYAR:—“ May I ask whether the Government propose to make any provision at least in the next Budget for either starting a work-house themselves or amply subventing the Corporation of Madras if one is started by that body? ”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“ If the Corporation embarks on that philanthropic enterprise, I am sure that the purse-strings of my hon. Colleague will be loosened.”

Mr. SAMI VENKATACHALAM CHETTIYAR:—“ Pending that, may I ask whether the Government will suspend the prosecution of these beggars? ”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“ It was in response to a number of appeals published in the newspapers that this was a tremendous nuisance that the system of prosecutions was inaugurated.”

7th February 1924]

Mr. M. RATNASWAMI :—“ Am I to understand that the answer to the supplementary question is to the effect that if the Corporation put forward proposals, the Government would be pleased to render some aid? I want the hon. the Finance Member to reply to my question, Sir.”

The hon. Sir CHARLES TODHUNTER :—“ I would refer the hon. Gentleman to Devolution Rule No. 31.”

Mr. M. RATNASWAMI :—“ Will the hon. Member kindly quote it? ”

Mr. SAMI VENKATACHALAM CHETTIYAR :—“ Will the hon. the Minister for Local Self-Government request the hon. the Finance Member for such a grant to the Corporation? ”

The hon. the RAJA OF PANAGAL :—“ The question will be considered, Sir.”

Arrest of a French subject.

243 Q.—Mr. R. SRINIVASA AYYANGAR : Will the hon. the Law Member be pleased to state—

(1) the circumstances that led to the arrest in December last at the Villupuram Railway station of one Nagaratnam, a French subject, residing in Pondicherry, *en route* to Madras and the grounds on which his remand was applied for and granted ;

(2) the duration of his remand and the accusation, if any, made against him ;

(3) the result of investigation, if any, made since his remand ;

(4) the reasons for dropping the proceedings against him and releasing him ; and to lay on the table the papers touching him ;

(5) whether it is a fact that the said Nagaratnam requested the magistrate to send him back to Pondicherry under escort and the magistrate declined to accede to the said request ; and

(6) whether any attempt was made to ascertain from the French authorities his antecedents and character ?

A.—(1) The individual was behaving in a suspicious manner and attempting to conceal himself when the police arrested him. Papers found on him showed that he was an associate of dangerous revolutionaries ; when questioned by the police, he failed to give a satisfactory account of himself. He was therefore arrested under section 55, Criminal Procedure Code.

(2) He was in remand from 30th November 1923 to 13th December 1923. The accusation made against him is mentioned in clause (1) above.

(3) The Government have no information.

(4) He was released because the police could not submit the final report by the 13th December 1923. The papers cannot be placed on the table.

(5) The Government have no information.

(6) No.

[7th February 1924]

Dr. P. Varadarajulu Nayudu's speech.

244 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Law Member be pleased to state (giving dates) when Mr. P. Varadarajulu Nayudu delivered speeches inviting Japan to invade India and also desiring riots to take place in the cold weather (vide the hon. the Law Member's answer to my interpellation No. 28-A, dated 12th December 1923, printed in the Council Proceedings of that date) ?

A.—The hon. Member is referred to the answer to clause (a) of question No. 240.

Bomb cases in certain taluks of the Kurnool district.

245 Q.—Rao Bahadur C. VENKATARANGA REDDI: Will the hon. the Law Member be pleased to state—

(a) the number of bomb cases in the Sirvel and Koilkuntla taluks of the Kurnool district during the years 1922 and 1923 respectively ;

(b) the number of murders by the use of bombs during the same years in the same taluks ;

(c) the number of offences by the use of firearms during the same years in the same taluks ;

(d) the number of bomb cases in Proddatur, Jammalamadugu and Pulivendla taluks of the Cuddapah district during the years 1922 and 1923 respectively ; and

(e) whether any officer or officers have been appointed on special duty in connexion with bomb cases in the Kurnool and Cuddapah districts ?

A.—The information is given below :—

(a), (b) & (c)—

Kurnool district.—

	Number of bomb cases.		Number of murders by use of bombs.		Number of offences by use of fire-arms.	
	1922.	1923.	1922.	1923.	1922.	1923.
Sirvel taluk	1	5	...	1
Koilkuntla taluk.	...	2	...	1	...	1

(d) 1922—Proddatur 3, Jammalamadugu 2, Pulivendla 3.

1923—Proddatur 2, Jammalamadugu 3, Pulivendla nil.

(e) The hon. Member is referred to the answer to question No. 529.

Rao Bahadur C. VENKATARANGA REDDI:—"Sir, in view of the fact that there was only one case regarding the use of fire arms, will the hon. the Home Member be pleased to ask the District Magistrate to withdraw the order refusing wholesale the issue of licences for firearms in these two taluks ?"

The hon. Sir ARTHUR KNAPP:—"I would ask my hon. Friend to specify the particular order of the District Magistrate which he wants us to cancel. I am not aware that the District Magistrate issued any general order which is subject to our cancellation."

7th February 1924]

Rao Bahadur C. VENKATARANGA REDDI :—“ The order was issued and two papers were sent out, one to the village magistrate and the other to the licence-holders, and I want to know whether there was any Government Order under which such an order was issued ? ”

The hon. Sir ARTHUR KNAPP :—“ If the question is whether we should overrule the District Magistrate's discretion by a General Order, I am afraid the answer is ‘ No ’.”

Diwan Bahadur P. KESAVA PILLAI :—“ May I know is this investigation to be confined to Cuddapah and Kurnool only but not to Anantapur ? ”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ Those particular men have been detailed for duty in the said districts of Cuddapah and Kurnool.”

Diwan Bahadur P. KESAVA PILLAI :—“ Is not the Government aware that bombs have been used in Anantapur also ? ”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ When the mischief gets as grave as it is in Kurnool and Cuddapah, Government will take the necessary steps.”

Diwan Bahadur P. KESAVA PILLAI :—“ Only after murders are committed ? ”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ No. If the traffic in bombs which is chronic feature of Cuddapah and Kurnool extends to Anantapur, then that is an important ground for action, apart from the action taken by the ordinary Police.”

Diwan Bahadur P. KESAVA PILLAI :—“ Is not the Government aware, Sir, that there have been such cases, and there has been traffic in bombs ? ”

Mr. A. RANGANATHA MUDALIYAR :—“ The hon. the Home Member said that the Government would not by an official order interfere with the discretion of the District Magistrate. Will the hon. Member do so demi-officially, Sir ? ”

Diwan Bahadur P. KESAVA PILLAI :—“ There is no answer to my question, Sir ? ”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ In deference to what has fallen from my hon. Friend, I shall ask the District Magistrate.”

Posting of cases by the Divisional Officer of Bandar.

12-15 p.m.

246 Q.—The RAJA OF KURUPAM: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that orders have been passed asking the Revenue Divisional Officers to try cases at the headquarters generally for the convenience of parties ;

(b) if so, whether it is true that some Revenue Divisional Officers, such as Khan Bahadur Habibulla Khan Sahib Bahadur, Divisional Officer of Bandar, Kistna district, have made it a point generally to post cases for trial to far-off places thereby causing a good deal of worry, unnecessary expenditure and inconvenience to parties ;

(c) whether he will be pleased to make an inquiry and to call for a statement as to the number of cases posted in places other than at headquarters, since that Officer assumed charge of the division ;

[7th February 1924]

Dr. P. Varadarajulu Nayudu's speech.

244 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Law Member be pleased to state (giving dates) when Mr. P. Varadarajulu Nayudu delivered speeches inviting Japan to invade India and also desiring riots to take place in the cold weather (vide the hon. the Law Member's answer to my interpellation No. 28-A, dated 12th December 1923, printed in the Council Proceedings of that date) ?

A.—The hon. Member is referred to the answer to clause (a) of question No. 240.

Bomb cases in certain taluks of the Kurnool district.

245 Q.—Rao Bahadur C. VENKATARANGA REDDI: Will the hon. the Law Member be pleased to state—

(a) the number of bomb cases in the Sirvel and Koilkuntla taluks of the Kurnool district during the years 1922 and 1923 respectively ;

(b) the number of murders by the use of bombs during the same years in the same taluks ;

(c) the number of offences by the use of firearms during the same years in the same taluks ;

(d) the number of bomb cases in Proddatur, Jammalamadugu and Pulivendla taluks of the Cuddapah district during the years 1922 and 1923 respectively ; and

(e) whether any officer or officers have been appointed on special duty in connexion with bomb cases in the Kurnool and Cuddapah districts ?

A.—The information is given below :—

(a), (b) & (c)—

Kurnool district.—

	Number of bomb cases.		Number of murders by use of bombs.		Number of offences by use of fire-arms.	
	1922.	1923.	1922.	1923.	1922.	1923.
Sirvel taluk	1	5	...	1
Koilkuntla taluk.	...	2	...	1	...	1

(d) 1922—Proddatur 3, Jammalamadugu 2, Pulivendla 3.

1923—Proddatur 2, Jammalamadugu 3, Pulivendla nil.

(e) The hon. Member is referred to the answer to question No. 529.

Rao Bahadur C. VENKATARANGA REDDI:—"Sir, in view of the fact that there was only one case regarding the use of fire arms, will the hon. the Home Member be pleased to ask the District Magistrate to withdraw the order refusing wholesale the issue of licences for firearms in these two taluks ?"

The hon. Sir ARTHUR KNAPP:—"I would ask my hon. Friend to specify the particular order of the District Magistrate which he wants us to cancel. I am not aware that the District Magistrate issued any general order which is subject to our cancellation."

7th February 1924]

Removal of the black flags by the Police during His Excellency the Viceroy's visit.

248 Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state the section of law or other authority under which Madras City Policemen trespassed into Mr. M. Singaravelu Chettiyar's house and removed the black flags he had hung up there during His Excellency the Viceroy's visit?

A.—The hon. Member is referred to the answer to question No. 63.

Prosecution against Mr. C. S. Sitarama Ayyar of Conjeeveram.

249 Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(a) the reasons why the District Magistrate of Chingleput initiated proceedings against one C. S. Sitarama Ayyar of Conjeeveram in January 1923, and why the prosecution was dropped subsequently;

(b) whether the District Magistrate of Chingleput forced the said Sitarama Ayyar, under threat of criminal prosecution, to withdraw his claim for damages against the Swiss Government or Consul; and

(c) whether all foreign letters addressed to the said Sitarama Ayyar are being censored by the Local Government since March 1923 and, if so, the reasons for this course?

A.—(a) No proceedings were initiated against C. S. Sitarama Ayyar in January 1923. A notice was served on C. S. Sitarama Ayyar to show cause why he should not be prosecuted for certain offences, but no formal complaint having been preferred and the Government being of the opinion that C. S. Sitarama Ayyar was not quite sane, no further steps were taken.

(b) No.

(c) No.

Elections.

Election to the Local Boards and Legislative Assemblies.

250 Q.—Mr. G. RAMESWARA RAO: Will the hon. the Law Member and the hon. the Minister for Local Self-Government be pleased to state if the Government are aware of the difference existing between the right of a karnam and that of a village headman to compete for election to local boards and the Legislative Assemblies?

A.—There is no difference in the case of elections to the Legislative Assemblies. In the case of local boards, the hon. Member's attention is drawn to section 54 of the Madras Local Boards Act, 1920.

Electricity.

Development of Hydro-Electric Power.

251 Q.—Rao Bahadur C. NATESA MUDALIYAR: Will the hon. the Law Member be pleased to state whether the Government have framed or are framing any policy with the object of developing hydro-electric power in the Presidency?

[7th February 1924]

A.—Government are anxious to develop the hydro-electric resources of the Presidency, and are taking action to that end. They also propose to utilize the services of an expert to advise them as to the lines of progress.

Irrigation.

Drains in the Gōdāvari Western and Kistna Eastern deltas.

252 Q.—Mr. P. PEDDIRAJU : Will the hon. the Law Member be pleased to state—

(a) whether any estimates are ready for the improvement of drains in the Gōdāvari Western and Kistna Eastern deltas ;

(b) if so, whether a list of them will be placed on the table ; and

(c) whether the Government are going to undertake any of these works in the coming year 1924-25 ?

A.—(a), (b) & (c) One work “Excavating subsidiary drains to the Motur left side drain” in the Kistna Eastern delta, has been sanctioned and is proposed to be taken up for execution during 1924-25. There are several other works which have been either completed or in progress or under consideration.

Mr. P. PEDDIRAJU :—“ May I ask the hon. the Law Member to place a list of all the works referred to in my question No. 252 (b) on the Table ? The hon. Member said in reply that there are several other works which have been completed.”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ I shall compile a list of the works which have been completed or are in progress.”

Irrigation channels in the Gōdāvari Western delta.

253 Q.—Mr. P. PEDDIRAJU : Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that the irrigation channels in the Gōdāvari Western delta are not being repaired as usual ;

(b) whether in consequence of the same the lands at the tail end of the channels are suffering from inadequate supply of water ; and

(c) whether the Government are going to take any action with respect to the same ?

A.—(a) The answer is in the negative.

(b) & (c) The attention of the Member of the Legislative Council is drawn to the answer to Legislative Question No. 43 (49), December 1923.

Mr. P. PEDDIRAJU :—“ May I inform the hon. the Law Member that my experience is quite different from the answer given to question No. 253 (a) ? ”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ I realize that ” (laughter).

Breaches made by the river Vettar.

254 Q.—Mr. C. MARUTHAVANAM PILLAI : Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that the river Vettar breaches almost every year in the limits of Manjadi to the north of Kivalore, thereby damaging the crops

7th February 1924]

of several villages lower down on the right bank of the river for the last thirty years and more ; and whether complaints have been made by the ryots year after year, but to no purpose ;

(b) whether it is a fact that the Department of Public Works even prepared an estimate for closing the breaches and for the construction of a drainage sluice two years back on a complaint made by Rao Bahadur K. S. Venkatarama Ayyar and others ; and whether the estimate has been sanctioned ; if so, will the same be worked out at least in the current year ;

(c) whether the ryots have given any suit notice to Government regarding the above breaches ;

(d) whether the Department of Public Works constructed a temporary wooden sluice and closed the breach partially with the result that the whole is now washed away ;

(e) whether a big island has been formed in the middle of the river to the west of Nagore where the river discharges into the sea ; and whether the same obstructs the free flow of the river during floods and causes the water to back up, thus submerging the lands in December and damaging the standing crops ; and

(f) whether an estimate is being prepared for turning the river and at what stage it is now ?

A.—(a) No ; there was a gap for a very long time in the right bank of the Vettar in the Manjadi limits through which the fields to the right of the Vettar drained into the river. This gap was permitted on the understanding that the interested ryots would close it when floods came down the river. As this was neglected by the ryots, the gap widened during the floods of 1919. The breach was closed, leaving only a small gap for the field drainage to enter the Vettar as before.

Complaints have been made by M.R.Ry. Rao Bahadur K. S. Venkatarama Ayyar Avargal. No other complaints have been received.

(b) Government are not aware whether any estimate was prepared by the local officers ; but the Executive Engineer has reported that he has instructed the Subdivisional Officer to construct a box sluice at the site of the gap and to reform the bank.

(c) The Government have no information except a statement in a petition received from M.R.Ry. Rao Bahadur K. S. Venkatarama Ayyar Avargal, in December last, that he has given a notice to the Collector.

(d) The temporary wooden sluice referred to is apparently the box sluice referred to in clause (b) above. No information has been received, but a report has already been called for.

(e) & (f) The Government have no information.

Traffic on the anicut across the Pennar at Nellore.

255 Q.—Mr. B. RAMACHANDRA REDDI : Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that traffic is much inconvenienced during the greater part of the year, on the anicut across the river Pennar at Nellore ;

[7th February 1924]

(b) whether it is a fact that the Government have formulated a scheme to improve its condition and when ; and

(c) if the answer is in the affirmative, why that scheme has not yet been put into execution ?

A.—The Government have no information.

MR. MUHAMMAD YAHYA ALI SAHIB :—“ Will the Government be pleased to furnish an answer to clauses (b) and (c) of question No. 255 ? ”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ The answer given ought to have been to question No. 255 (b) ; and it has been taken for granted that the Government have not been made aware of any such inconvenience that it might be remedied.”

The Patha-Cuddapah tank.

256 Q.—MR. K. ABDUL HYE SAHIB : Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that the Patha-Cuddapah tank, one of the biggest irrigation tanks in the district of Cuddapah fed by the Kurnool-Cuddapah canal, is so badly silted up that its storage capacity has been reduced by more than half ;

(b) whether the Government have received any memorial on the subject ; and

(c) if so, what action the Government propose to take thereon ?

A.—(a) & (b) The answer is in the negative.

(c) The attention of the hon. Member is in this connexion drawn to the answer to question No. 131.

Irrigation projects.

257 Q.—MR. M. R. SETURATNAM AYYAR : Will the hon. the Law Member be pleased to state—

(1) the names of irrigation projects which have been under consideration during the last 25 years ;

(2) how many of them were carried out and the cost of each ; and

(3) how many were given up and for what reasons ?

A.—The hon. Member's attention is invited to the Report on Irrigation Projects by Mr. F. E. Morgan, Executive Engineer, Projects division, which was placed on the Council Table. If details are required on any specific project, they will be furnished.

The bigger channels in the Trichinopoly district.

258 Q.—MR. M. R. SETURATNAM AYYAR : Will the hon. the Law Member be pleased to state the amount of expenditure incurred in regard to the bigger channels in the Trichinopoly district for the last five years under the following heads :—

(a) names of the channels,

(b) repair charges for korambu,

(c) silt clearance, and

(d) masonry and other works along the courses of the channels ?

7th February 1924]

4.—The Government have no information but will call for it, if names of the channels for which information is required be specified.

The Ponneri channel.

259 Q.—Mr. M. R. SETURATNAM AYYAR: Will the hon. the Law Member be pleased to state—

(a) the present stage in the powers of shifting of the head of the Ponneri channel three miles up the Coleroon river;

(b) the cost of the latest revised estimate;

(c) the amount expended up to date;

(d) the probable extent of additional lands that would be brought under cultivation by this work; and

(e) the estimated additional revenue therefrom?

A.—(a), (b) & (c) The latest revised estimate sanctioned for improvements to the Ponneri channel amounts to Rs. 2,22,000 and fair progress has been made on the work. Information regarding actual expenditure incurred on the work up to date is not available but the expenditure to end of November 1923 amounts to Rs. 1,63,772.

(d) & (e) The work is intended chiefly to ensure a proper supply for the channel all the year round, and no large extension of cultivation has been contemplated.

Mr. M. R. SETURATNAM AYYAR:—“With regard to the answer to question No. 259 (a) and (b), are we to understand, Sir, that the work thus far has been a failure?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“Hardly.”

The Kannambadi Arbitration affair.

260 Q.—Mr. M. R. SETURATNAM AYYAR: Will the hon. the Law Member be pleased to state—

(a) how the present position of the Kannambadi Arbitration affair stands;

(b) who were the officers deputed to consider the question of compromise of the dispute between the Madras and the Mysore Governments regarding the Dam;

(c) at what places they met;

(d) what were the decisions arrived at or the proposals advanced by them at each place of meetings;

(e) whether the Government have considered the necessity of obtaining the opinion of the leading ryots of the districts affected by the construction of the above Dam before any compromise is arrived at;

(f) if the answer to clause (e) is in the affirmative, whether the Government will be pleased to call for a conference of the leading ryots of the districts concerned to consider the question of compromise and also to give publicity to the terms of compromise in all the leading newspapers of Madras and the districts concerned;

[7th February 1924]

(g) whether the attention of the Government has been drawn to the series of articles about the Dam, which appeared in the issues of the now defunct "Desabaktan", Madras, dated 29th and 30th October 1919, and 1st, 5th and 10th November 1919, and also the issues of the "Panchayat," a monthly published at Trichinopoly, in its Vol. 1, Nos. 11 and 12, and Vol. 2, Nos. 4 and 5; and

(h) whether the Government have taken into consideration the objections raised in those articles?

A.—(a) In pursuance of the suggestion made by the Secretary of State, negotiations were started in April 1920 and have been proceeding and in the later stages the Consulting Engineer of the Government of India has been helping the Government of Madras and the Mysore Darbar. They have not yet been finally concluded.

(b), (c) & (d) As the negotiations have been proceeding on the basis that they should be treated as confidential and the proceedings should not prejudice either party if the matter is ultimately taken to arbitration, the Government consider that it would be detrimental to public interests to answer these questions.

(e) & (f) Leading ryots were consulted in August 1922 and will again be consulted if and when necessary.

(g) & (h) The attention of the Government has now been drawn to the articles referred to.

Report of the "Cauvery Delta Improving Committee."

261 Q.—Mr. M. R. SETURATNAM AYYAR: Will the hon. the Law Member be pleased to publish the report drawn by the "Cauvery Delta Improving Committee"?

A.—Further minutes expected by the President of the Committee from some of the members are still awaited and the question of publishing the report will be considered when they are received and the report is examined.

Embankments on certain rivers in South Kanara.

262 Q.—Mr. J. A. SALDANHA: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that recently there were erected on the Gurpur and Mulki rivers in South Kanara bunds or embankments for facilitating irrigation of hundreds of acres of fields by villagers with their own labour and at their own cost;

(b) whether these works were ordered to be destroyed on the ground that they obstructed navigation and offended against section 431 of the Indian Penal Code;

(c) whether it is a fact that the rivers in question were at the time of the erection of the bunds navigable for laden boats only at high tides; and

(d) whether it is a fact that in the case of the bund erected without the Collector's permission on the Mulki river by the villagers of Palimar, rice crops of over 500 acres were saved from being destroyed by drought on account of that bund, while only a few boats were prevented from carrying their goods which could be easily transhipped over the bund?

A.—(a), (b), (c) & (d) The Government have no information.

7th February 1924]

Mr. J. A. SALDANHA :—" Will the hon. the Law Member be pleased to call for information on this point ? "

The hon. Mr. C. P. RAMASWAMI AYYAR :—" To which point ? "

Mr. J. A. SALDANHA :—" To all the points. The information is required in connexion with the points that I am going to raise on the Irrigation Bill."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" Clause (d) is somewhat consequential on the rest. But I shall have no objection to call for information regarding (a), (b) and (c)."

Minor irrigation works in certain districts.

263 Q.—Mr. M. RATNASWAMI : Will the hon. the Law Member be pleased to state—

(a) the number of minor irrigation works reported upon and ready for construction if funds were available in each of the districts of South Arcot, Chingleput, North Arcot, Cuddapah, Kurnool, Bellary and Anantapur ; and

(b) whether Government intend building any of these works in the year 1924-25 ?

A.—Apparently the hon. Member refers to the construction of new irrigation works as distinguished from improvements to existing irrigation works. There are no such works reported on and ready for construction, if funds were available, in the districts mentioned.

Mr. M. RATNASWAMI :—" Are we to understand, Sir, that these districts are so fortunate that they do not require any manner of irrigation works ? "

The hon. Mr. C. P. RAMASWAMI AYYAR :—" The hon. Member will notice that the answer refers to 'new irrigation works as distinguished from improvements to existing irrigation works'. It is not a fact that they are so fortunate as not to need any irrigation work, but no such schemes have been put forward, partly on account of financial reasons."

Mr. M. RATNASWAMI :—" May I know, Sir, whether those districts do not require at all any new minor irrigation works ? "

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I think it is necessary to explain that it is major irrigation works that are really involved in the new construction. The function of the minor Irrigation Department is to maintain existing schemes."

Mr. A. RANGANATHA MUDALIYAR :—" And not to embark on works which are technically minor irrigation works ? "

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I do not say that."

Mr. M. RATNASWAMI :—" Does the hon. the Law Member's answer include all kinds of minor irrigation works, viz., those that are necessary to supplement major irrigation works and those which are independent of major irrigation works ? "

The hon. Mr. C. P. RAMASWAMI AYYAR :—" As I have already said, there are no such works reported on and ready for construction."

[7th February 1924]

The Periyar scheme.

264 Q.—Mr. M. RATNASWAMI : Will the hon. the Law Member be pleased to state what stage the Periyar scheme for generating power has reached and what the claims are of the Irrigation Department which the promoters of the scheme have found unacceptable?

A.—The concession which was granted to Mr. A. H. Garrett, Retired Chief Engineer, in November 1919, and subsequently taken over by a Syndicate composed of Messrs. Alfred Dickinson & Co., Limited, and others, has just been determined as the concessionaires have failed to promote a company with the requisite capital. Government are not aware of any claims of the Irrigation Department which the promoters found unacceptable.

Mr. M. RATNASWAMI :—“ May I ask the hon. the Law Member whether he has dealt with Mr. Cotton's industrial report attached to the last administration report where a view is expressed that on account of the difficulties expressed by the Irrigation Department, the Periyar irrigation works could not be dealt with ? ”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ I have got Mr. Cotton's opinion, but, so far as anything depends upon the Member in charge of electric power, all that I can say is that no one is more anxious than myself to develop electricity in the South of India and that every facility will be given to *bona fide* attempts in that direction.”

The modified Tungabhadra project.

265 Q.—Rao Bahadur C. VENKATARAMA REDDI : Will the hon. the Law Member be pleased to state—

- (a) whether there is under the consideration of the Government any project known as the modified Tungabhadra project ;
- (b) whether it has been investigated or is still under investigation ;
- (c) if it is under investigation, the time when it will be completed ;
- (d) the districts which will be benefited by that project ; and
- (e) the probable extent of land in each district that will be served by that project ?

A.—In connexion with the scheme for a reservoir on the Kistna at Sangameswaram proposed by the late Chief Engineer on Special Duty (Mr. A. V. Ramalinga Ayyar) a proposal has been made to utilize the Tungabhadra waters for the irrigation of 200,000 acres of land in the Bellary district. The latter scheme can be taken up for consideration only after the results of the preliminary investigation now in progress in connexion with the former are known.

Mr. K. KOTI REDDI :—“ May I enquire, Sir, whether the modified Tungabhadra project is successful ? ”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ It depends upon the balance of convenience and the balance of advantages. The Sangameswaram project which has now been reported upon, and whose success depends upon the concurrence of His Exalted Highness the Nizam of Hyderabad, will give more lasting benefits.”

7th February 1924]

Mr. P. SIVA RAO :—“ May I enquire, Sir, whether the original Tungabhadra project, which was estimated to cost about 13 crores and which was deferred with reference to some other schemes, has been completely given up ? ”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ If this Sangameswaram project is abandoned, that will hold the field.”

Rao Bahadur C. V. S. NARASIMHA RAJU :—“ May I enquire, Sir, whether the Tungabhadra project was shelved by Mr. Morgan ? ”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ Mr. Morgan gave a fairly definite answer after his investigations went up to a certain stage. It was because of his advice that the Government have now taken a different view of its possibilities and are exploring it, and we have invoked the Consulting Engineer to the Government of India to strengthen us in the matter of expert opinion.”

Mr. K. KOTI REDDI :—“ Am I to take it, Sir, that the Sangameswaram project means the definite abandonment of the modified Tungabhadra project ? ”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ It will include the old portions of the Tungabhadra project.”

Diwan Bahadur P. KESAVA PILLAI :—“ Will it benefit the Bellary district, Sir ? ”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ Yes.”

The Nagavali project.

266 Q.—The RAJA OF KURUPAM: Will the hon. the Law Member be pleased to state whether it is under the consideration of the Government to extend the Nagavali project—

(a) by opening a head sluice in the right bank of the river opposite the one in existence in the left bank and by digging fresh channels so as also to irrigate the lands of the villages situated to the south of the river as far as the Suvarnamukhi generally known as Seethanagram river ; and

(b) by constructing a reservoir across the Janjhavati at a place higher up Gumpa where this river joins with the Nagavali and below Narayana-patnam or another between Chollapadam and Rayaghada ?

A.—(a) The answer is in the negative.

(b) The hon. Member's attention is invited to the report on the project on page 9 of Mr. Morgan's Report on Irrigation Projects already placed on the Table.

The masonry dam at Agalangan.

267 Q.—Mr. C. MARUTHAVANAM PILLAI: Will the hon. the Law Member be pleased to state—

(1) whether the Government are aware of the fact that the masonry dam built by the French at Agalangan across the Arasalar has seriously impaired the capacity of the river as a source of irrigation and drainage owing to the absence of screw shutters and sand-scouring vents for the said dam ; and

[7th February 1924]

(2) whether it is a fact that owing to the discontinuance or neglect of *nanal* planting, the carrying capacity of the rivers in the Cauvery delta has seriously diminished?

A.—(1) The Government are aware of the existence of the dam referred to, and the difficulties arising therefrom. The French Government have proposed to improve the dam by converting it into a regulator but there is no guarantee as to when it will be done. The Collector has however been directed to safeguard the interests of the British ryots adequately by regulating the Kavadi channel head sluices as occasion arises.

(2) As much funds as can be spared under present conditions are being allotted for conservancy operations. The Government have no reason to believe that the alleged discontinuance or neglect of conservancy operations has reduced the carrying capacity of the delta rivers.

Surplus water overflowing the Pennar Anicut.

268 Q.—Mr. K. SITARAMA REDDIYAR: Will the hon. the Law Member be pleased to lay on the table a statement showing the amount of surplus water overflowing the Pennar anicut near Tirukkoyilur unutilized for irrigation purposes for the last twenty years?

A.—The Government have not the information asked for.

Mr. K. SITARAMA REDDIYAR:—“Will the Government be pleased to call for the information?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“In deference to the wish of my hon. Friend, I have asked our Chief Engineer and he says that gaugings have not been kept, but the information will be collected.”

Law Officers.

Age of Government pleaders and public prosecutors.

269 Q.—The RAJA OF RAMNAD: Will the hon. the Law Member be pleased to furnish the age of the various Government pleaders and public prosecutors employed in all the districts on 1st January 1924?

A.—The Government have no information.

The RAJA OF RAMNAD:—“May I request the hon. the Law Member to kindly furnish the information in view of the number of Resolutions that have been tabled?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“An inquiry regarding the ages of the various Government pleaders and public prosecutors in all the districts may not be of great assistance, but if, in regard to any particular district where there is any trouble, this age question is raised, I have no objection to call for information.”

Magistracy.

Special Magistrates in the Madura and Tanjore districts.

270 Q.—Mr. A. V. BHANOJI RAO: Will the hon. the Law Member be pleased to state whether the experiment of appointing Special Magistrates in

7th February 1924]

the Madura and Tanjore districts has been tried as stated by his predecessor in office in the discussion on the separation of Executive and Judicial functions in the Council on the 14th September 1922; and, if so, with what results?

A.—No. The experiment has been postponed pending consideration of the proposals of the Committee on the separation of functions.

Police.

Police stations and Police force in municipal and non-municipal areas.

271 Q.—Mr. M. RATNASWAMI: Will the hon. the Law Member be pleased to state—

(1) the number of members of the Police force in municipal and in non-municipal areas respectively;

(2) the number of police stations in municipal and in non-municipal areas respectively; and

(3) the average distance between police stations in non-municipal areas?

A.—A statement is attached:—

	In municipal areas.	In non-municipal areas.
(1) Strength of the Station staff, i.e., sub-inspectors, sergeants, head constables and constables ...	6,656	17,529
(2) Number of police stations ...	132	884
(3) The average distance between police stations in non-municipal areas is 14 miles.		

Recruitment of sub-inspectors of police.

272 Q.—The RAJA OF RAMNAD: Will the hon. the Law Member be pleased to state why in the recent recruitment of sub-inspectors of police the usual district committees composed of officials and non-officials were not set up?

A.—The recruitment of sub-inspectors was postponed for some time pending a consideration of the report of the Police Committee. When it was found that the recruitment of a limited number was unavoidable it would have been too late to go through the ordinary procedure of constituting selection committees in each district, and a departure from the rule was permitted, as a special case, in order to save delay. All the candidates were however inspected and classified by Deputy Inspectors-General in order to secure uniformity of standard.

Expenditure for the Secret Service Fund in 1923.

273 Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(a) the amount of money spent on account of the Secret Service Fund in 1923;

[7th February 1924]

- (b) the objects for which the money was spent ;
 (c) whether any vouchers are ever obtained for expenditure under this head ; and
 (d) whether any responsible officer supervises or checks the expenditure under this head ?

A.—There is no Secret Service Fund in this Presidency. For police expenditure the details of which are required to be kept secret an allotment is made in the budget under 'Special rewards'. Suitable arrangements are made for the audit and control of expenditure from this allotment, but the Government are naturally not prepared to disclose the objects for which it is used.

Special Inspector of Police on Khilafat duty.

274 Q.—MR. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

- (a) whether there is a special Inspector of Police posted on Khilafat duty ;
 (b) the duties of that office ; and
 (c) the reasons for the existence of this special office ?

A.—(a) No.
 (b) & (c) The points do not arise.

Police arrangements for the Cocanada Congress.

275 Q.—MR. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

- (a) the amount of money spent on police arrangements, including the Criminal Intelligence Department, for the Cocanada Congress ; and
 (b) the duties discharged by the various police officers deputed to do duty there ?

A.—(a) An amount of Rs. 6,000 was sanctioned by Government for Police work in connexion with the Indian National Congress, the Khilafat and other conferences held at Cocanada. They have no information how much of this was actually spent.
 (b) The Government have no information as to the duties performed by each Police officer.

Selection of Muhammadan candidates for the post of Sub-Inspectors of Police.

276 Q.—MR. ABDUL HYE SAHIB: Will the hon. the Law Member be pleased to state whether it is a fact that all the six Muhammadan candidates who appeared from the Anantapur district for the selection of sub-inspectors of Police were rejected and if so, the reasons for this rejection ?

A.—The Government have no information.

MR. ABBAS ALI KHAN :—"Will the Government be pleased to call for information, Sir ?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—"Yes, but I must say this. I do not undertake, while calling for the information, to publish the results of any researches that might be necessary."

7th February 1924]

Recruitment to higher offices in the Police Department.

277 Q.—Mr. ABDUL HYE SAHIB: Will the hon. the Law Member be pleased to state whether it is a fact that the Government intend to recruit direct a number of Deputy Superintendents of Police and Circle Inspectors?

A.—There is no proposal to alter the existing methods of recruitment.

Punitive Police, Koilkuntla and Siruvel.

278 Q.—Rao Bahadur C. VENKATARANGA REDDI: Will the hon. the Law Member be pleased to state—

(a) whether any orders have been passed on the proposals submitted to Government for the imposition of punitive police in the Koilkuntla and Siruvel taluks of the Kurnool district; and

(b) if so, what orders have been issued?

A.—(a) Yes.

(b) The Government have sanctioned the appointment of an Inspector and two Sub-Inspectors of Police to investigate the traffic in bombs which is a disquieting feature of the districts of Kurnool and Cuddapah. They have also instructed the District Magistrates to warn the inhabitants of the districts of their responsibilities in the way of co-operating with the Government in putting down such crime and to make it clear to them that the alternative may have to be the imposition of punitive police.

Mr. C. V. VENKATARAMANA AYYANGAR:—“May I know, Sir, that in any orders that may be issued, the police officers also will be asked to be more careful hereafter and to see that offences are carefully detected?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“It is part of their statutory and normal duties.”

Police sub-inspectorate.

279 Q.—Mr. K. SARABHA REDDI: Will the hon. the Law Member be pleased to state—

(a) how many candidates from the Kurnool district applied for selection last time for Police Sub-Inspector's training;

(b) whether timely intimation was given to candidates to appear before the board of selection; and

(c) if so, how many were selected?

A.—The Government have no information.

Public Works.

Retirement of certain Assistant Engineers.

280 Q.—Mr. R. SRINIVASA AYYANGAR: Will the hon. the Law Member and the hon. the Minister for Education be pleased

(i) to state—

(a) whether it is a fact that about a dozen Assistant Engineers (Provincial grade) have been ordered to take leave and to retire though they have neither attained fifty-five years of age nor completed thirty years of service;

[7th February 1924]

- (b) the actual number of Assistant Engineers so dealt with and their names ;
- (c) whether their places have been filled up or abolished ;
- (d) if those places have not been abolished, to state the reasons for the step taken ; and
- (ii) to lay on the table the papers relating to their compulsory retirement ?

A.—(i) (a) It is not a fact that Assistant Engineers were ordered to take leave and to retire. As a measure of retrenchment the cadre of the Madras Engineering Service was reduced from 106 to 75. Notice of discharge was given to officers who completed the qualifying service to be retired on compensation pension to the extent there was excess in the service.

(b) List is appended.*

(c) & (d) The appointments were abolished.

(ii) The matter is pending with the Government of India.

Discharge of permanent Lower Subordinates in the Public Works Department.

281 Q.—Mr. P. PEDDIRAJU : Will the hon. the Law Member and the hon. the Minister for Education and Public Works be pleased to state—

(a) whether the attention of the Government has been drawn to the method of discharging permanent Lower Subordinates in the late 2nd circle ; and

(b) whether the attention of the Government has been drawn to the Chief Engineer's Memorandum No. 6568-C, dated 18th September 1923 ?

A.—(a) & (b) The answer to (a) and (b) is in the affirmative.

Compulsory retirement of certain members in the Provincial Engineering Service.

282 Q.—Mr. ABBAS ALI KHAN : Will the hon. the Law Member and the hon. the Minister for Education and Public Works be pleased to state—

(1) whether a Government Order was passed last year providing for the compulsory retirement of members of the Provincial Engineering Service who had put in 25 years' service ;

(2) whether any exceptions were made to this rule ;

(3) if so, how many Brahmans and how many non-Brahmans were so excepted ; and

(4) whether it is a fact that the only Indian Christian who came under these rules was compulsorily retired ?

A.—(1) A Government Order was passed reducing the cadre of the Madras Engineering Service from 106 to 75 and in order to bring down the then existing strength of 95 to the sanctioned number the surplus officers were selected for discharge on pension under article 426, Civil Service Regulations, from among those who had completed twenty-five years' service for pension.

* Printed as Appendix II on page 292 infra.

7th February 1924]

(2) & (3) Surplus officers were retired to the extent necessary, and there still remained nine officers who had completed twenty-five years' qualifying service whom it was not found necessary to discharge immediately. Of these, two were Europeans, four Brahmans and three non-Brahmans. Of the first and last class, one in each has since retired.

(4) Yes.

Mr. ABBAS ALI KHAN:—"May I enquire, Sir, whether the Indian Christians are classified as members of the non-Brahman party?"

The hon. Rao Bahadur Sir A. P. PATRO:—"The hon. Member must know that for himself. He is an Advocate of experience."

Mr. ABBAS ALI KHAN:—"I have no doubt about it, Sir, but I find that whereas the only Indian Christian in the service was compulsorily retired, the three non-Brahmans were retained?"

The hon. Rao Bahadur Sir A. P. PATRO:—"The information with regard to that particular officer will not be to his credit, nor to his advantage in the matter of pension, if the full information is disclosed."

Mr. A. RANGANATHA MULLALIYAR:—"The hon. the Minister said that if certain information is to be disclosed, it would not be to the advantage of the individual officer concerned. Is it communal factor, or personal, Sir?"

(No answer.)

Reforms (Council Secretaries).

Council Secretaries.

283 Q.—Mr. SAMI VENKATACHALAM CHETTIYAR: Will the hon. the Law Member be pleased to state—

(a) whether the Council Secretaries appointed during the first Legislative Council under section 52 (4) of the Government of India Act still continue as Council Secretaries having regard to the provision of sub-section (4) of that section;

(b) whether any of the Council Secretaries have submitted their resignation; and whether the resignations have been accepted;

(c) whether any of them still continue to draw pay;

(d) whether it is a fact that one of them, though not re-elected to the Council, has drawn pay; and, if so, until what date;

(e) what is the amount of salary that has been drawn by each of the Council Secretaries between 1st April to August 1923 and after the dissolution of the Council in September 1923; and

(f) whether the appointment of the Council Secretaries made by His Excellency the Governor under section 52 of the Act was intended to continue beyond the period of the last Council?

A.—(a) to (d) The three Council Secretaries continued in office till the 1st December 1923, on which date they resigned and their resignations were accepted. No appointments have been made after 1st December 1923, and so no one has drawn pay from that date.

[7th February 1924]

(e) The three Council Secretaries drew pay till 1st December 1923 at the rate of Rs. 500 per mensem each.

(f) Yes.

Religious disputes.

Committee to settle certain differences between Hindus and Mussalmans.

284 Q.—Mr. YAHYA ALI SAHIB: Will the hon. the Law Member be pleased to state—

(a) whether the Committee appointed for settlement of disputes between Hindus and Muhammadans under G.O. No. 887, Home (Judicial), dated 30th March 1920, has submitted any report;

(b) the number of meetings held by the Committee and the total amount spent by the Government for the said Committee;

(c) whether it is a fact that owing to the pre-occupations of the President, Sir P. S. Sivaswami Ayyar, further meetings of the Committee could not be convened and hence their labours could not be completed; and

(d) if so, whether the Government will be pleased to appoint a fresh Committee to complete the work started by the aforesaid Committee?

A.—(a) No.

(b) So far as the Government are aware, the Committee held two meetings in 1920 and one in January 1921 under the presidency of Sir P. S. Sivaswami Ayyar. The Government are not aware of the exact expenditure incurred on this account, but as the Committee do not appear to have toured and only to have held three meetings, it must have been inconsiderable.

(c) Sir P. S. Sivaswami Ayyar resigned his position as President of the Committee in May 1921 owing to his frequent and prolonged absence from Madras in connexion with the sessions of the Legislative Assembly. Sir Ahmad Tambi Marakkayar was appointed to succeed him at the end of 1921, but as no meetings were held after his appointment, the Government suggested and Sir Ahmad Tambi agreed in July 1923 that the matter might be allowed to drop.

(d) In view of the history of the last Committee, which was entirely composed of non-officials, the Government do not think that any useful purpose would be served by appointing a second one.

Mr. YAHYA ALI SAHIB:—“ May I know if the order of appointment of Sir Ahmad Tambi Marakkayar was placed on the Editors' table or communicated to the members of the Committee ? ”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“ I really cannot say just now. But I will find out.”

Mr. YAHYA ALI SAHIB:—“ Were the members of the Committee consulted before the matter was allowed to drop ? ”

7th February 1924]

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ All I can say is that Sir Ahmad Tambi was the only person who addressed the Government. Sir Ahmad Tambi stated that certain records which were absolutely essential for him to embark on his inquiry were not available and I think there was some kind of search for the records which went on for some time. Sir Ahmad Tambi said that the occasion had gone by for any such inquiry just now and that he allowed it to drop. We thought that he consulted his colleagues.”

Mr. YAHYA ALI SAHIB :—“ I must ask, if the answer to clause (d) is based only upon the report of Sir Ahmad Tambi, whether that is also the opinion of the other members of the Committee.”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ If the hon. Member desires further information, I will investigate into the matter and publish the circumstances under which the inquiry was dropped.”

Committee to inquire into the Hindu-Muslim disputes.

285 Q.—Mr. ABDUL HYE SAHIB : Will the hon. the Law Member be pleased to state whether a Committee was formed to inquire into the Hindu-Muslim disputes regarding the playing of music in front of mosques on the motion of Sir Ahmad Tambi Marakkayar ; and whether the Government will lay on the table the deliberations of the said Committee ?

A.—The hon. Member is referred to the answer to question No. 284.

Constitution of districts, divisions and taluks.

Re-grouping of village officers.

286 Q.—Mr. T. ADINARAYANA CHETTIYAR : Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that the re-grouping of village officers recently effected in the district of North Arcot has not only caused much hardship and dissatisfaction to the large body of village officers but detriment to their work inasmuch as the areas assigned to many of the village officers under re-grouping, sometimes including villages six to seven miles apart, have been arbitrarily fixed without regard to securing efficiency ;

(b) whether it is a fact that in the course of re-grouping the claims of experienced karnams were, in many cases, overlooked and new men appointed without regard to service or efficiency ;

(c) whether it is a fact that the recent reduction in the number of village menials has left a large number of villages without a village munsif, or a karnam, or a talaiyari or even a vettiyan with the result that none is available in those villages for safeguarding even Government property ; and

(d) whether it is a fact that the reduction in the number of village menials has made it difficult for the village officers to attend to collection work satisfactorily ?

[7th February 1924]

A.—The Board of Revenue being the authority dealing with village officers and the grouping of villages under the Madras Acts II of 1894 and III of 1895, the Government are not in possession of the details asked for.

Mr. T. ADINARAYANA CHETTIYAR :—“ Will the Government call for the information seeing that a number of resolutions have been given notice of on this important matter ? ”

The hon. the RAJA OF KOLLENGODE :—“ Will the hon. Member definitely say what information is required ? ”

Mr. C. RAMALINGA REDDI :—“ Is the hon. Member aware of the large number of resolutions that have been tabled in this House, of the large number of meetings of protest against this policy of re-grouping of villages and of other agitation that has been going on for a good long time past, and will he, in view of the unanimous opinion against that policy prevailing in the country, order first the suspension of such re-grouping till the principles governing it are laid before this House ? Secondly, will he order the dissolution of such groupings that have since been made, except in cases where villages have been grouped for the reason that they become dwindled which will not justify their being kept as separate units ? ”

The hon. the RAJA OF KOLLENGODE :—“ I do not see the need to suspend the order that has already been made.”

Mr. C. RAMALINGA REDDI :—“ Perhaps I put the two questions together as one. Let me put it properly. My first point was whether he would kindly have the order of re-grouping done since last March or April reconsidered so that, as far as possible, they might be dissolved and the original units restored. My second point was this : In view of the very strong feeling and unanimous feeling existing against such a policy in this Presidency, will he kindly order such re-grouping to be done in future merely for the sake of economy and only on the ground that a village had dwindled to be too small for a separate unit ? ”

The hon. the RAJA OF KOLLENGODE :—“ The matter will be considered.”

The hon. the PRESIDENT :—“ I think we had better stop the questions and answers now. We have already reached 12-30. There are a number of items on the Order paper for the rest of the day. We shall resume these questions to-morrow morning from where we have left off.”

Mr. T. ADINARAYANA CHETTIYAR :—“ May I take it, Sir, that this question No. 286 also stands adjourned for to-morrow ? ”

The hon. the PRESIDENT :—“ Yes.”

7th February 1924]

(2) & (3) Surplus officers were retired to the extent necessary, and there still remained nine officers who had completed twenty-five years' qualifying service whom it was not found necessary to discharge immediately. Of these, two were Europeans, four Brahmans and three non-Brahmans. Of the first and last class, one in each has since retired.

(4) Yes.

Mr. ABBAS ALI KHAN:—"May I enquire, Sir, whether the Indian Christians are classified as members of the non-Brahman party?"

The hon. Rao Bahadur Sir A. P. PATRO:—"The hon. Member must know that for himself. He is an Advocate of experience."

Mr. ABBAS ALI KHAN:—"I have no doubt about it, Sir, but I find that whereas the only Indian Christian in the service was compulsorily retired, the three non-Brahmans were retained?"

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Mr. A. RANGANATHA MULLALIYAR:—"The hon. the Minister said that if certain information is to be disclosed, it would not be to the advantage of the individual officer concerned. Is it communal factor, or personal, Sir?"

(No answer.)

Reforms (Council Secretaries).

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(c) whether any of them still continue to draw pay;

(d) whether it is a fact that one of them, though not re-elected to the Council, has drawn pay; and, if so, until what date;

(e) what is the amount of salary that has been drawn by each of the Council Secretaries between 1st April to August 1923 and after the dissolution of the Council in September 1923; and

(f) whether the appointment of the Council Secretaries made by His Excellency the Governor under section 52 of the Act was intended to continue beyond the period of the last Council?

A.—(a) to (d) The three Council Secretaries continued in office till the 1st December 1923, on which date they resigned and their resignations were accepted. No appointments have been made after 1st December 1923, and so no one has drawn pay from that date.

[7th February 1924]

APPENDIX II.

[Vide answer to question No. 280 asked by Mr. R. Srinivasa Ayyangar at the meeting of the Legislative Council held on the 7th February 1924, page 286 supra.]

List of Assistant Engineers discharged on compensation pension.

M.R.Ry. A. R. Subrahmanya Ayyar.	M.R.Ry. K. Srinivasa Ayyar.
„ K. Narayana Hebbar.	„ R. Panchapakesa Ayyar.
„ S. Natesa Ayyar.	„ M. N. Ramakrishna Ayyar.
„ V. S. Srinivasa Ayyangar.	„ T. Venkatarama Ayyar.
„ Rao Sahib C. L. Venkata-	„ L. D. Ramachandra Ayyar.
narasayya.	„ S. Dakshinamurti Sastri.
„ M. S. Venkatarama	„ T. V. Saptharishi Sastri.
Ayyar.*	„ V. K. Kuppuswami Ayyar.
Mr. J. S. Mullen.	„ Sankara Subrahmanya
M.R.Ry. J. S. Muthayya.	Ayyar.

* Since retired on a *retiring* pension as he completed 30 years' service.

II

ELECTION OF MEMBERS TO THE ADVISORY COMMITTEE OF THE
MADRAS AND SOUTHERN MAHRATTA RAILWAY.

The hon. the PRESIDENT:—“I have to inform the House that at the election held last evening the following Members have been declared elected to be the Council's nominees to the Advisory Committee of the Madras and Southern Mahratta Railway:—

Mr. W. Vijayaraghava Mudaliyar.
Mr. P. Siva Rao.

III

COMMUNICATIONS TO THE COUNCIL.

(1)

The SECRETARY then laid on the table proceedings of the * twelfth, thirteenth and fourteenth meetings of the Finance Committee for 1923-24, dated 24th, 25th and 28th January 1924, respectively.

(2)

The SECRETARY also laid on the table a list of appointments on Rs. 500 and above created between 1st March and 30th November 1923, with reference to the Legislative Council Resolution No. 168 passed at its meeting of 13th December 1921.†

IV

DEMAND FOR SUPPLEMENTARY GRANT FOR 1923-24.

Grant XII.

The hon. Mr. C. P. RAMASWAMI AYYAR:—“Mr President, Sir, I beg to move—

That the Government be granted an additional sum of Rs. 12,220 under Criminal Justice for expenditure on the special courts constituted for the trial of offences which arose out of the Mappilla Rebellion.

* Printed as Appendix III on pages 330-342 infra.

† Printed as Appendix IV on pages 342-344 infra.

7th February 1924] [Mr. C. P. Ramaswami Ayyar]

"It is necessary to give to the House the details as to what exactly this refers to. This is practically the tail end of the events that led to the rebellion and to the establishment of the courts which had to deal with the matter arising out of the rebellion. An expenditure of about Rs. 12,220 was incurred during the current year on the special courts for the trial of offences which arose out of the Mappilla Rebellion. The Magistrates who sat in these courts were First-class Magistrates of the Deputy Collectors' cadre. No provision was made for this item in the budget as there was no information at that time as to whether the courts would function during the year and if so, for what period. The amount spent on the pay of the Magistrates included a special pay of Rs. 100 for each amounting to Rs. 10,000, and the amount for the establishment came to another Rs. 10,000. A statement of details of this expenditure will be placed on the table. This is the end of that category of expenditure, and I move that this supplementary grant be given."

The motion was put and carried and the grant was made.

V

AMENDMENTS TO STANDING ORDERS.

Rai Bahadur T. M. NARASIMHACHARLU:—"I beg to move that the report of the Select Committee appointed to consider the amendments to Standing Order 44 (1) (i), which is placed on the table * of this House, may be taken into consideration."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I second the motion."

The motion was put and carried.

Rai Bahadur T. M. NARASIMHACHARLU:—"I move that the two amendments that have been proposed consequential on the amendments to Standing Orders 46 and 49 may be passed at once."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I second it."

The motion was put and carried, and the amendments were passed.

VI

THE TUTICORIN PORT TRUST BILL.

The hon. the PRESIDENT:—"The Council will now resume consideration of the Tuticorin Port Bill. We have to deal with clause 8."

Mr. P. Peddiraju, who had given notice of the following amendment to sub-clause (1) of clause 8, did not move it:—

Amendment to sub-clause (1), clause 8.

"Add the following as item (f):—

'(f) or is domiciled in any part of the British Empire or in any British possession in which discrimination is made by statute or by any rule having the force of law against resident Indians as such.'"

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"Sir, in the place of the amendment which was not moved, I beg leave to move the following as sub-clause (f) of clause 8:—

'or (f) not being an Indian by birth is domiciled in any British possession or Colony as defined in the Interpretation Act of 1889 the laws

* Printed as Appendix V on pages 344-345 infra.

[Mr. T. A. Ramalinga Chettiyar] [7th February 1924]

of which do not confer or recognize rights and privileges in respect of resident Indians which are equal to those conferred or recognized in respect of other residents.

Provided that the decision of the Local Government shall be final as to whether the conditions of the clause are fulfilled.' "

The hon. the PRESIDENT :—" I understand that this is an amendment of which no notice has been given. It is left to the House in the first place to say whether they would like to discuss the amendment, and then it is for me to accept the amendment, dispensing with the notice."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" May I say a word of explanation? Yesterday we postponed further discussion of the Bill on the understanding that with reference to this matter we would try to come to some sort of settlement with regard to the wording of this amendment. It is in pursuance of that that I have drafted this amendment for which I now beg the leave of the House as well as your leave."

The hon. the PRESIDENT :—" Do I understand that the House has no objection? (After a pause) In that case, I will allow the amendment to go forward."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" I formally move my amendment. It only reproduces what has been said yesterday. As I said it aims only at those Colonies which do not give equal citizenship rights to Indians resident there and does not aim at Europeans as Europeans or as Colonials generally. So, it is a question of retaliation. This is all that is possible for us to do in the limited circumstances in which we are placed to-day. It is also a matter of self-respect. For these reasons, we should put in a thing like this, so that the Colonials also shall know our feeling.

"With these few words, I beg to move the amendment."

Mr. C. RAMALINGA REDDI :—" I have much pleasure in seconding this."

The hon. Sir CHARLES TODHUNTER :—" Mr. President, before this amendment is put to the vote I should like to state briefly the attitude of the Government with regard to it. And in doing so I would in the first place express my sense of gratitude to the hon. Member who gave notice of the first amendment and to the hon. Member Mr. T. A. Ramalinga Chettiyar for the spirit of compromise that they have shown in this matter and for their endeavour to meet the Government in any way that was compatible with their primary desire, which, I take it, is to put their sentiments on record. And if I could accept any amendment to the Bill on the subject in question, I should be only too glad to accept that which is now put forward. My real difficulty in so doing lies, not in the sentiment to which the amendment now gives expression, to which I am sure nobody here will have any objection, but in a fact which lies deeper, namely, that Statutes are not the place to put sentiments on record. It has been suggested that under similar circumstances a British Prime Minister would express his cordial agreement and sympathy with the sentiment to which expression had been given and would accept the placing of an expression of it on record in the Statutes. Well, Sir, I would ask, if that is the case, where are the expressions of those sentiments in the Statutes of the day? We have in England agitations enough and to spare, but personally I cannot recollect any instance wherein a strong feeling of sentiment has been embodied in a Statute. There are no doubt many gentlemen

12-45 p.m.

7th February 1924]

[Sir Charles Todhunter]

agitated at present about the attitude of France in the negotiations concerning the reparations. But would they move, or would Mr. Ramsay Macdonald accept, an amendment to a statute, let us say, one dealing with the tariff, to the effect that the mixture of coffee and chicory which is sold as French coffee, should no longer be given the name of 'French' or sold under a red white and blue label?"

Mr. C. RAMALINGA REDDI :—" Sir, I like to know whether there are any such differences between the citizens of French extraction and English who might become naturalised in parts of England or France "

The hon. Sir CHARLES TODHUNTER :—" I venture to think, Sir, that the point raised is hardly relevant to that which I am making. Again, Sir, it is only a year or two ago since we had a vigorous agitation on the subject of the importation of fabric gloves which, if I understand the matter aright, threatened a large industry in England, but do we find the Statutes of the day containing provisions that, for instance, the Board of Guardians at Clerkenwell must, if they wear gloves at all, conduct their business in kid gloves ?

" I venture to think, Sir, that in circumstances similar to those in which I have been placed, an English Prime Minister would adopt the attitude which I have attempted, how feebly I am only too fully conscious, to adopt here, namely, to accept the sentiments, but to ask with all good humour that the Council do not jog the elbow of those in charge of delicate negotiations or place on record an agitation which we all hope will soon be satisfactorily settled.

" My knowledge of Parliamentary proceedings is not sufficiently accurate to enable me quote right off to the House any incident which is directly analogous to that which we are now considering, but I think there is one example from America which will be in the minds of all of us. Did not President Taft in somewhat similar circumstances meet the situation with a sentence of four words, namely, ' Don't rock the boat ' ? Of course, Sir, I understand that it is useless to make an appeal of that kind to a gentleman --I am sorry he is not present this morning--who describes himself as an agitator, who is, in other words, a professional rocker of the Government boat. And I am sure we all recognize the conscientious vigour with which, in pursuance of his self-imposed task, he tears a passion to tatters upon any and every pretext. But, of course, he does not expect us to take him seriously and, I am sure, we shall not do so. And, I therefore hope that the House, having given vigorous expression to its sentiment, and having received the assurance that the sentiment in question is one to which the Government are in no way opposed, will rest satisfied with that and will leave the delicate negotiations which are in progress in the competent hands to which they have been entrusted, and will not insist on placing on record for future generations to wonder at an expression of sentiment regarding a controversy which, I hope, will be ended long before this generation comes to an end.

" I regret, Sir, that for these reasons I must oppose the motion not because I am in any way at issue with the hon. the Mover as to the question, but because, as I said, statutes are not the place in which sentiments should be recorded."

Diwan Bahadur P. KESAVA PILLAI :—" May I say a word in reply to the manner in which the hon. the Leader of the House has stated the reasons

[Mr. P. Kesava Pillai]

[7th February 1924]

of the Government in not accepting the amendment of the hon. Mr. Ramalinga Chettiyar? We all live for sentiment and die for sentiment and I am afraid it is sentiment that is swaying so many people in so many Colonies in making enactments and passing Acts of segregation. I do not know how many"

The hon. Sir CHARLES TODHUNTER :—" May I ask my hon. Friend if there is nothing else in those enactments except the question of sentiment? "

Mr. C. RAMALINGA REDDI :—" May I know if there is any country where there is any such distinction made in the Anglo-Saxon race? "

Diwan Bahadur P. KESAVA PILLAI :—" As a matter of fact, Sir, there is no denying the fact that in the Colonies and in the Dominions there has been a discrimination against colour: is it not a question of sentiment there? There you find it in black and white in enactments and sometimes in the judgments of Supreme Courts of Judicature"

The hon. Sir CHARLES TODHUNTER :—" May I ask by way of testing my hon. Friend's statement whether it is not the fact that, according to the latest American law, a restriction is imposed limiting the number of immigrants of any particular race to a percentage of the number of persons of that race already in the United States without any regard to colour? "

Diwan Bahadur P. KESAVA PILLAI :—" I am quite aware of it, Sir, but may I remind my hon. Friend, the Leader of the House, that it was only recently that the American Supreme Court of Judicature said that the people of India could not have free citizenship in America, because they were not free in their own country. What will you call it? Would you call that a sentiment or not? I wonder how the most enlightened people of the modern world would justify it except on the ground of sentiment against coloured peoples. I therefore think that the Leader of the House would do well not to object to the inclusion of this sentiment in the enactment and accept it with grace and pass it."

The hon. Sir CHARLES TODHUNTER :—" May I say that I wish, for the sake of the Indians, that the particular enactment in question did no more than express a sentiment? But I am afraid it goes very much further than that."

Diwan Bahadur P. KESAVA PILLAI :—" That is exactly so, and that is why it creates so much trouble and annoyance and loss to the Indians. I do not think that the English Dominion of Canada has been an exception. We have heard of so much about the doings of the white colonists of British Columbia towards their fellow subjects in India, and I do not think my hon. Friend is reasonable in expecting us to accept his explanation that it is only a sentiment and should not be put in the enactments. Let us have a small satisfaction at least of having put our views. It is left to the Government to administer it and they may not put it into force as vigorously as we wish them to put. I appeal to my Friend Mr. Davies to accept the amendment. If the Government will not accept it, I hope all the Members of this House including hon. Members of the European race who have identified themselves with us for so long a time will leave the hon. the Leader of the House alone in the lurch and vote for the amendment (laughter)."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" Mr. President, the only point that was raised and is likely to appeal to the House is with regard to

7th February 1924] [Mr. T. A. Ramalinga Chettiyar]

the negotiations that are going on at the present moment. If as a result of the acceptance of this amendment I am convinced that there will be trouble I would certainly be the first to withdraw it. But the amendment is in general terms and instead of being obstructive to the negotiations it will help those very negotiations by showing that the people are likely to resent any withholding of their rights. It was also said that an enactment like this should not be spoiled by putting into it any sentiment. What is the sentiment? The sentiment expressed is not against any particular colony or person. All that it says is if there is any colony at any time which does not give rise to such a sentiment it won't be affected at all. So I beg to submit that there is nothing at all in the amendment which creates any difficulty in either of the two ways mentioned by the hon. the Leader of the House. So I hope that the amendment will commend itself to the acceptance of the entire House."

The amendment was then put to the House and carried.

1 p.m.

Clause 8 as amended was put and carried and added to the Bill.

The Preamble was put and carried and added to the Bill.

The hon. Sir CHARLES TODHUNTER :—"Sir, I now beg to move that the Bill, as amended, be passed into law."

Diwan Bahadur P. KESAVA PILLAI :—"I second it."

The motion was put and carried and the Bill was passed into law.

VII

THE MADRAS IRRIGATION BILL.

Mr. G. F. PADDISON :—"Sir, may I say a few words on this Bill? My chair here is half out and half in, and I am now speaking with permission in my individual capacity and not as a nominated Member of the Government. I beg to say a few words purely and simply as a representative of the depressed classes. The depressed classes may be divided into four kinds. The first is the hill tribes. I do not think even the eloquence of the hon. the Law Member could induce irrigation to run up-hill (laughter). I therefore exclude them. The second is the criminal tribes. My chief business is to deal with the criminal tribes. On this matter I have to point out that the uplift of the criminal tribes depends very largely on the development of irrigation facilities. There has been a strong memorandum in regard to this Bill on behalf of the Kallar community. You will find that the Kallars are divided into two classes: Keelnad Kallars and Melnad Kallars. The Keelnad Kallars have sworn that they will not go back to thieving again and have agreed to lead a peaceful life. We are striving hard by various means for their economic uplift and it is in the interests of the State that it should be done. A great difficulty is felt in this matter. If through this Bill, and it largely depends upon this Bill, we can get the extra water of Periyar river, then and not till then shall we be able to solve the Kallar problem. The Kallar representative will agree with me—I am sorry he is not here—that if we can irrigate the arid tract then immediately we can solve the Kallar problem. Then, again, there are the depressed classes called the untouchables. As you know, the Government have paid special attention to try and uplift them so that they can take

[Mr. G. F. Paddison] [7th February 1924]

their legitimate place in the social order and so that they can no longer stand as a block in the progress of the Presidency (hear, hear). Now, one of the chief ways in which we try to help these untouchables is to give them land. The difficulty is that nearly every acre of fertile land has already been taken up. There are several millions of these people and the extent of land that is available is very small. The extent of land available is also very poor in fertility. If we can get this Irrigation Bill through, I do not say as it stands, but as an Irrigation Act, then and not till then shall we be able to lift these people.

"The fourth class I wish to speak of and whom I represent to some extent is the ex-service men. I am sure the Member representing that community will agree with me that very great difficulty is felt in finding fertile lands for men who have returned from field service. You will say why should they be depressed classes? A large proportion of them find a place in His Majesty's army in Madras and they belong to the depressed classes. Until we get land and water for them we are in a very precarious condition. We can get a few arid lands in Anantapur or in Cuddapah or at the tail-end of the delta where they get water very late for no useful purpose. If those barren lands could be improved we should be able to colonise them with depressed classes of all kinds. Until we can get this Bill passed into law and get the Government of India to allot money for this purpose, it is absolutely impossible to give the lead for these classes in the Presidency. I know there is opposition. I know there was opposition, shall I say to the introduction of the first Irrigation Bill. It came very largely from zamindars. Now I want to say this, or rather I want to plead on behalf of the poor tenants throughout the Presidency, whether they belong actually to the depressed classes or not. I know the zamindars as a class will oppose this measure. I have been on intimate terms with a large number of them. Like all aristocracies they are very sensitive. They are very tenacious of their rights. They are very anxious that they should not be bullied. They resent it. I am quite certain that if we can convince these zamindars and make them see, as I have been doing during my service, that an Act of this sort is necessary so as to get money from the Government of India to go on with the different schemes, then the zamindars will realize, as most of them do realize, that a contented tenantry is the greatest asset to a zamindar. If by a new project you can get extra money, your position will be very much better than ever before. One other point has been raised, and that is, why not do this by negotiation? I noticed that several persons had it in their minds, or at the back of their minds as they will say, why not do the same with the zamindars. The answer to that seems to be that when you can get a large profit, a really large profit such as in the Kistna-Tungabhadra project, one big zamindar can hold up the whole project and spoil the thing for all time to come. So it is necessary that Government—I do not speak on behalf of Government, but I speak on my own behalf—should take these powers, get the money from the Government of India and go on with the schemes. I am sure that the finances of the Government of India are not unlimited. The persons that apply first will get the first turn. Supposing we as a House should reject this Bill, which I hope we shall not do, then all the other Provinces, Bengal, the Punjab and others, will have the preference and we may very well find the Government of India saying that we have lost many chances already. I beg you on behalf of the depressed classes and insist

7th February 1924] [Mr. G. F. Paddison]

that you should first and foremost when you go back to your constituency try and persuade every one, whether they are zamindars or ryots, that it is essential, absolutely essential, that this Bill should go in the form of an Act at once, so that we can get the necessary money from the Government of India. Then there is another objection, viz., that of an irrigation officer. My answer to that is this. My own feeling of an irrigation officer is that it is a good thing. My personal feeling is that the irrigation officer ought to have great powers and we want a large staff of highly-paid officers. If we get money, we can do it. In Guntur there was an irrigation officer twenty years ago. It was an Irrigation Officer called Mr. Pompey. He had a hot-tempered air generally. When he left, I used to say he was a terrible person. Mr. Pompey was full of power and energy. He used to ride two horses at one time. He drove one and led the other. Wherever I went, I heard 'పాంపేడోర వచ్చి ఉండినారు' in the villages.

1.15 p.m. "Then comes the question of *Kudimaramat*. Here again objection is made that whenever an urgent work is to be done all persons, and not only the labouring classes, are made to work. I do not know whether some gentlemen here who live in towns know what it means when an irrigation work is going on. When an irrigation work is going on, it is really a triumph to the villagers in general. Suppose my burning eloquence sets fire to these benches, do you think that it will not be the duty of everyone here to come to the rescue? We don't depend only on labouring classes, and so it is when an irrigation work is going on. Suppose a tank in an estate is burst; the first man who will go to the spot will be the Raja himself, and so it should be with us all whether we belong to the legal profession or to the medical profession or to any other profession. In any crisis, everyone as long as he is able-bodied should rush to the spot to do whatever he can.

"Lastly, I would just say one word to the Swarajists and those who specialize on the question of granting self-government to India immediately. I think that in this House we all agree that self-government should come in, either at once or hereafter. It is only a question of time. We all look to the time when India will have its own Dominion status (hear, hear).

"The other day one gentleman was saying—I do not wish to mention his name—that India ought to get her place among the nations of the world because she was sending her raw products to the British Empire Exhibition and not using them for manufacture at home. When I was in England I used to see the offices of the Canadian High Commissioner and the Australian High Commissioner and see their windows cramped with purely agricultural products and with purely raw material—Australian wheat and Australian wool. Does anybody mean to say that nations cannot be free by depending mainly upon agriculture? Not a bit. This is an agricultural country. Every one in this House wants to build up the nation as the practical term is and by all means we can do so."

Mr. C. RAMALINGA REDDI:—"May I ask, Sir, whether or not the Exhibition is intended partly to attract Australian and other Colonies?"

Mr. G. F. PADDISON:—"I then come to the question of emigration, about which we talked this morning. If we can get water, then the question of emigration will very largely solve itself; because the people whom I

[Mr. G. F. Paddison]

[7th February 1924]

represent form about 80 per cent of emigrants from this country. People will not want to go out if they can remain in this country and cultivate the lands in Bellary, Anantapur, Cuddapah, Kistna, Ganjam and other districts. All these lands can be brought under cultivation in about 20 years if an irrigation law is placed on the Statute Book. So, let us all have this Bill. But the first advice I want to give is this. Let us insist upon every point in the Bill that is necessary and let us pass this Bill so as to enable us to draw this necessary money from the Government of India. If we do that, I am sure we will give a tremendous benefit to the Presidency."

Diwan Bahadur M. KRISHNAN NAYAR:—"I have very great pleasure in supporting the principle of this Bill. The hon. Mr. Ramaswami Ayyar yesterday gave cogent reasons why this measure should be passed. Speaking particularly with reference to Malabar, I should say that it is highly necessary that this Bill should be passed into law. The Government, so far as I am aware, and I believe I am right, have not hitherto constructed any irrigation work in the district of Malabar. There is an idea abroad—I am afraid that that idea is entertained by the Government as well—that Malabar is a land flowing with milk and honey and that no irrigation works are necessary there. No doubt, in respect of the rains of the south-west monsoon we are more or less happy, though sometimes we have untimely rains and consequently we are not able to gather even our first crops. So far as the second crops are concerned, they often suffer for want of irrigation works. For instance, even this year, as my hon. Friend the Revenue Member has admitted in one of the answers given this morning, the second crops have failed for want of rains. If a portion of the large quantity of rain that falls in the district during the south-west monsoon could be imprisoned and collected by irrigation works and reservoirs, this calamity could be avoided. I am very glad that this Bill has been introduced and that it will be possible hereafter, if they have the will, for the Government to construct irrigation works in the district. The Bill contains many excellent provisions and it is not necessary to refer to them now. I shall only refer now to some of the salient features in the Bill which, in my opinion, should be changed in order that the Bill may become a beneficial one and if I refer to these defects in the Bill, I do so merely for the purpose of drawing the attention of my Friend, the hon. the Law Member to them and not for condemning the Bill as a whole. Section 6 declares the right of the Government to regulate the supply of water

'of any river, natural stream or natural drainage or natural drainage channel, lake or other natural collection of water, such river, stream, drainage channel, lake or other natural collection of water not being wholly situated in an estate or estates'.

"This is a very good provision. But I submit, Sir, that the same reason which has led to the exclusion of the natural collection of water wholly situated in an estate or estates should also have led the hon. Member to exclude natural collection of waters which are situated wholly in Government or patta lands. This particular objection and several other objections that I wish presently to refer to were considered by the Committee that sat over the provisions of the last draft and many suggestions were made at that time. Some of the suggestions were unanimously accepted by the Committee, some others were accepted by the majority of the members of the Committee and some others were thrown out. But to my mind, not only those that

7th February 1924] [Mr. M. Krishnan Nayar]

were unanimously accepted by the Committee but many other suggestions also ought to be embodied in this Bill. So that my present contention is that those reasons which led my hon. Friend, the Law Member, to exclude the collection of waters situated wholly in an estate or estates should have induced him to exclude natural or artificial collection of waters which are situated wholly in private lands or Government lands. That, I submit, is my first suggestion.

“Turning for a moment to another clause in the Bill, clause 17, it says that the Local Government have the power

‘to remove or close any irrigation or drainage work, change the irrigation or drainage work from which water is supplied and take any other measures they may consider necessary in order to control the distribution’

and so on. No doubt I grant that it is necessary for the Government to be armed with such powers; but care should be taken that when the Government exercises this power persons who have already been using water for their works should not be made to suffer. For instance, in changing a particular source it may happen that the particular landowner who has been getting a certain quantity of water hitherto may not be able to get the same quantity of water hereafter. The result will be that the owner of that particular field will be put to a great hardship. No doubt my Friend, the hon. Mr. Ramaswami Ayyar, may say that there is a provision in the Bill, namely clause 64, which says that in such cases as far as possible compensation in water itself will be allowed to the particular person who suffers. But I submit that by introducing such restrictions as ‘as far as possible’ and so on we shall not take away the hardship of the particular person concerned. It may be that after the removal or the change of the sources, he may not be able to get the same quantity of water which he was getting before. The result will be that he will have to suffer. So that, provision must be made for enabling the particular person concerned to get the same quantity of water as he was getting hitherto. Then again, it is stated in that very same clause, clause 17, that the Local Government may

‘take any other measures they may consider necessary in order to control the distribution and to regulate the flow of water’

and so on. This large residual power given to the Government is extremely dangerous. Ultimately who will be the person that will have to exercise this large power? It will be not the highly paid irrigation officer but it will be the subordinate officers, the persons who get only a small amount of pay, and we can more or less imagine what the consequence will be when these large powers are left in their hands. I may submit that this was also one of those provisions to which the Members of the Committee objected and I think it was unanimously objected to by the Committee.

“I come now to clause 23. It seems to me that the provision contained in this clause is a very unreasonable one. If any damage is caused to an irrigation work, if that damage benefits some particular individuals and if the authorities are not able to find out the culprit who caused such damage, then all the persons who are benefited by this damage will be punished according to this clause. That seems to me to be an extraordinary and dangerous provision. It seems to be something like this: supposing a rich man dies leaving a large extent of property and a number of relatives are benefited by the death and supposing that one of the

1-30 p.m.

[Mr. M. Krishnan Nayar] [7th February 1924]

relatives murdered that rich man and the culprit is not found out, is it fair to hang all the relatives who profit by his death because you have not been able to detect the one among them who committed the crime? It is something like the recommendation that was made by some persons with reference to the University Examination where, because one of the boys who stole the question paper was not found out, all the students who appeared for the examination were punished. I therefore say that this provision is extremely objectionable and should be deleted from the Bill.

“There is another chapter dealing with water-courses. In that chapter it is stated that owners of lands can apply to the Irrigation Officer to construct at their own expense any water-course which they desire, and the Collector will render any help that is necessary in acquiring lands for the purpose of constructing such water-courses.”

The hon. the PRESIDENT:—“If the hon. Member is going to finish in a minute or two, we shall gladly hear him.”

Diwan Bahadur M. KRISHNAN NAYAR:—“I shall continue after lunch.”

The House adjourned for lunch at 1-34 p.m.

After lunch, 2-30 p.m.

VIII

ALLOTMENT OF DAYS FOR NON-OFFICIAL BUSINESS.

The hon. the PRESIDENT:—“I have to inform the House that in addition to the six days already allotted for the transaction of non-official business, His Excellency the Governor has been pleased to allot one more day for non-official business and that naturally will be to-morrow, Friday, provided that by then the Government business has come to an end. The first 15 Resolutions which have obtained priority by ballot and of which hon. Members have received notice, will accordingly be placed on the agenda paper for to-morrow in addition to questions and answers. I may remind hon. Members that the result of the ballot held on 18th January 1924 holds good only for 30 days and that for any meeting after 18th February 1924, at which non-official business is permitted, fresh notice will have to be given in respect of motions on matters of general public interest even though they were included in the last ballot.

“Hon. Members who have evinced considerable anxiety to devote at least one day to non-official business at the present meeting will, I hope, naturally desire to co-operate with the hon. the Law Member in charge of the Irrigation Bill and bring the discussion on it to a close, as far as possible, to-day, so that we may have some time for resuming the discussion of the motion which stands in the name of the hon. Member, Mr. Peddiraju. In order to arrive at this result and at the same time to enable a large number of hon. Members to participate in the discussion before it is brought to a close, I propose to enforce the time limit which will be 10 minutes for each speech.”

VII.—THE MADRAS IRRIGATION BILL—cont.

Diwan Bahadur M. KRISHNAN NAYAR:—“When we rose for lunch I was dealing with the provisions of chapter IV. I think that some portions of this chapter contain provisions which are very hard. In this connexion, I may say that I should be very sorry if I were understood to take objection against the general principles of the Bill.

7th February 1924] [Mr. M. Krishnan Nayar]

“ Chapter IV which contains provisions enabling private owners of lands to construct water-courses at their own expense is very good. But it contains a provision, i.e., clause 35, which to my mind ought not to be there. It says :

‘ Any irrigation officer empowered in this . . . may himself construct such water-courses.’

“ This provision, I submit, should be deleted from the Bill. The object of the Government should be to collect water-cess from the persons concerned only after taking water to their fields. It is only then that the Government are entitled to collect water-cess. If Government construct a water-course of their own accord for taking water to lands, and recover the cost from the owners of such lands, I think it is quite unfair.

“ Another thing, and a very important thing, is the provision contained in chapter V, relating to water-cess. Without going into the details of the chapter, I may say that if a field is irrigated by percolation, leakage, or drainage from an irrigation channel, a water-cess can be levied from the owner of such field. That I think is a very hard provision indeed. One of my friends who is also a Member of this Council told us in the Committee that his cocoanut garden was damaged instead of being benefited by percolation and that the Government are therefore liable to pay him damages. This provision I think ought to be removed from the Bill.

“ Then again for levying water-cess, I submit that this has to be done only after obtaining the sanction of the Legislative Council.

“ It has been said on other occasions in this Council that before any resettlement is made and assessment enhanced, Government must obtain the positive sanction of the Legislative Council. I think that the levy of water-cess at a particular rate must also be made only with the positive sanction of the Legislative Council. No doubt there is provision in the Bill to the effect that rules for levying water-cess will be made and that such rules will be laid on the table of this House for a period of three months. That is an indirect provision, and I do not think it is quite sufficient. I think the provision must be made positive.

“ Then again, coming to another chapter, we find that with the special consent of the owners of fields certain terms can be arranged between the Government and the ryots by which certain rates of water-cess can be fixed for the mutual benefit of both. Provisions contained in this chapter are very nice. If the Government find that in undertaking a particular scheme of irrigation it will not be remunerative, then there are provisions enabling Government with the consent of the people concerned to fix the water-cess at a particular rate. Provisions such as these are very good. But I think that schemes costing a lakh of rupees or $1\frac{1}{2}$ lakhs should be undertaken only with the sanction of this Council, and that such a provision should be embodied in the Bill itself.”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ I do not quite catch the hon. Member.”

Diwan Bahadur M. KRISHNAN NAYAR :—“ In chapter 6, section 50, dealing with the construction of new works we see that they should be approved by the Local Government, should be published in the official gazette of the district concerned, etc.; I think that it is advisable that the consent of this Council is got before proceeding with

2-45 p.m.

[Mr. M. Krishnan Nayar]

[7th February 1924]

the work. I believe this suggestion also was accepted by the committee that sat over the Bill. Schemes costing more than a lakh or so should be intimated to the Council and their sanction obtained."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Will my hon. Friend permit interruption? Chapter VI relates to works where the people's consent has been obtained for them. Assuming that the people actively consent is there still the hon. House to consider it? Is it not a case of constructive consent?"

Diwan Bahadur M. KRISHNAN NAYAR:—"There is no difference between constructive consent and express consent in the provisions of the chapter."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"The hon. Member knows what I mean by constructive consent."

Diwan Bahadur M. KRISHNAN NAYAR:—"For works undertaken under that chapter there is only one kind of consent. Even then the consent of the Council is necessary for such costly works."

"Again chapter VIII dealing with the award of compensation has got some objectionable portions. It is to be enacted that no compensation shall be awarded for any loss or damage sustained in consequence of the stoppage of a supply of water from an irrigation work when such supply has been received or derived for the first time after the passing of this Act. I submit, Sir, it is very hard."

"Suppose, Sir, after the Act comes into operation a particular field receives water from an irrigation source, say for five or ten years regularly and the owner hopes to receive it regularly for ever. With this hope he converts the dry lands into wet lands by investing a large sum of money. Suppose he has been getting gain from this for some time. Then if the supply is stopped he loses his money. To say that because he got the water for the first time only after the Act came into force, therefore he is not entitled to compensation is very hard. I don't want to go into the details."

The hon. the PRESIDENT:—"The general principles of the Bill alone should now be discussed."

Diwan Bahadur M. KRISHNAN NAYAR:—"My hon. Friend, Mr. Paddison, remarked that there was an excellent provision in the Bill regarding the emergency supply of labour. Suppose a breach takes place to an irrigation work. There is a provision in the Bill to the effect that the village headman of the locality is authorized to compel all able-bodied men to work for the repair of that irrigation work. Of course there is a further provision to the effect that they will be paid their wages. Mr. Paddison said that it is a very desirable provision. I fully agree with him in thinking that it is the duty of all of us to help in such emergent circumstances. Suppose a house is on fire, then we will all go and put it out. But there is a great difference between going voluntarily and being compelled to go, even with the hope of being paid four annas when the market rate is two annas. In Travancore, for instance, there is a huge irrigation work costing about a crore of rupees. Very often breaches occur, and the cultivators and the field owners repair these breaches at once without being compelled by anybody. Of course you have to pay the coolies on such occasions more than ordinary wages. Take again the case of the railway where breaches occur. They have also to be repaired at once. The urgency

7th February 1924] [Mr. M. Krishnan Nayar]

is equally great. I do not think, I speak subject to correction, that there is any provision by which the Railway authorities could compel able-bodied men to work there. Compelling people will certainly not do. There must be willing work.

“Finally, Sir, I would rather wish that this Bill, with all its blemishes some of which I have pointed out—there are many more—be passed into law than be rejected.”

Rao Bahadur A. S. KRISHNA RAO PANTULU :—“Sir, while I congratulate the hon. the Law Member on the splendid, sweet and persuasive speech with which he introduced this Bill I fear I cannot congratulate him and the Government of which he is the spokesman on the Bill which has been introduced. For the last ten years several infructuous attempts have been made to introduce an Irrigation law in this country. In 1914 a Bill was attempted to be introduced, but as a result of a motion made that it was of a controversial nature it was put off till after the war. Last year again, the Bill which was brought forward was rejected. We have now to consider this Bill, the third of its kind. It is a matter for consideration whether this Bill is an improvement upon its predecessors of 1914 and 1922 and whether we are justified in giving our assent to the various provisions incorporated in it.

“As this is the time for discussing the important provisions of the Bill, I should in the first place suggest that the general declaration in clause 6 of the Bill is of a doubtful character. In the Statement of Objects and Reasons in introducing the Bill we are told that important provisions have been taken from the Bombay and Burma Acts. Whereas in those Acts we find provisions corresponding to clause 7, we don't find a general declaration corresponding to clause 6. Why go so far as Bombay or Burma? Let us consider the history of this Bill from its earliest stages. In 1908 when the Bill was originally introduced we found provision made for a general declaration like the one suggested. When the Bill was circulated to the Collectors, the Board of Revenue and various representative associations and individuals it received so much opposition from various quarters with the result that the question of a general declaration was omitted when it was re-drafted in 1909. I will just read one portion of the Government Order dealing with it (G.O. No. 3172 of 19th November 1909) :

‘The revised Bill does not attempt as did the earlier draft to lay down a general law of water-right for all classes of landholders. It proceeds rather on the principle, which is already familiar throughout the operation of the Land Acquisition Acts, of enabling the Government, when public interests necessitate such a step, to take control over any source or work of irrigation, paying compensation in full subject to certain definite restrictions for any material damage which may thereby result to actual, but not to prospective irrigation.’

“Consistently with the principle of the Government Order we do not find the general declaration like clause 6 in the Bill of 1909. Even in the Bill of 1914, in the pre-reform days, we do not find any general declaration of this kind though we find a declaration like clause 7. I want to say that when once we adopt an Irrigation Bill suited to the condition of this province there may be no necessity for a general declaration like the one in clause 6. I may also point out that the late Diwan Bahadur P. Rajaratna Mudaliyar, who was associated with the Irrigation Commission, as the result of whose labours the Irrigation Bill of 1914 was drafted, expressly stated that we should not in this matter take the example of the case of any other province, but should have a law which is suited to the conditions of our province. This is what he says :

[Mr. A. S. Krishna Rao Pantulu] [7th February 1924]

Page 44 of G.O. No. 3172, dated 19th November 1909.

'As a member of the Irrigation Commission, I had opportunities of observing the working of these laws in those provinces and it struck me that some of the provisions were much more stringent, or rather they were enforced much more rigorously, than the necessities of the case demanded. The conditions of this Presidency are entirely different, and the ryots and landholders have been enjoying for a long period of years immunity from undue and unnecessary restrictions in the matter of water-supply. A long series of decisions passed by the highest Judicial Tribunal of the land have practically settled the law on the subject and all that is needed is to embody the leading principles of those decisions in a Legislative enactment and prevent room for vexatious litigations on the part of private individuals.'

"I may remind the House that the general declaration which was omitted in 1909 and 1914 was introduced in the Bill of 1923 and repeated in the present one under discussion. It is of a doubtful character, and its retention is not good.

"It might be argued that there are other provisions which are sufficient to give the same powers to Government. If it be so, why then should we have this declaration? Assuming for the sake of argument that the general declaration is insisted upon, will it not do positive harm if nobody consents to such a general declaration? It is also said that this declaration of the rights of Government is based on the Easement Act.

3 p.m. "When once the Government make up their mind to have a declaration of their rights embodied in the Bill is it not fair to ask them to have a declaration of the people's rights also embodied in it, even according to the decision in 32 Madras, 141? It will be found that so far as the declaration embodied in the Bill goes, it does not give effect to all the principles which were enunciated in the decision in 32 Madras, 141. Wherever things are favourable to the Government we find declarations here; but wherever the people's rights go against the Government we do not find declarations. I will now draw the attention of the House to some of the main conclusions which were drawn by Their Lordships of the High Court in their decision; and then it will be for the House to see whether the Government have treated us properly in omitting those portions of the decision which favour the rights of the people. It will be found that the proposition placed before Their Lordships by the learned Advocate-General who presented the case was this:

'whether Government have power by the customary law of India to regulate, in the public interests, in connexion with the collection, retention and distribution of waters of rivers and streams flowing in natural channels and of waters introduced into such rivers by means of works constructed at the public expense and in the public interests for purposes of irrigation, provided that they do not thereby inflict sensible injury on other riparian owners and diminish the supply they have hitherto utilized.'

But what do we find in clause 6? We find a declaration of the rights of Government without the main qualifying clause which conferred rights on the people. That is my objection to this clause. You will find the words 'in the public interests' omitted in this clause which means that the riparian owners have got to forego their right for water."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"It is because of that, that provision for compensation has been introduced."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Even if a compensation clause has been introduced, let clause 6 set forth fully and completely not only the rights of the Government but also the rights of all persons affected, zamindari landholders, proprietary landholders, and ryotwari landholders. That is my objection to this. It will be found that the contention put

7th February 1924] [Mr. A. S. Krishna Rao Pantulu]

forward on behalf of the defendant was that the Government had a paramount or sovereign right to regulate the distribution of water for purposes of irrigation subject to the limitation mentioned, namely, that they should not injure riparian owners or diminish the supply which they have been accustomed to utilize. Another thing is that the decision practically accepts the position taken in an earlier decision, viz., 5 Madras, H.C.R. 46, wherein it was stated as follows :

‘ I quite admit that the Government of this country has at all times assumed to itself and has the right in the interests of the public to regulate the distribution for use of any portion of the water flowing in the natural channels in which rights have not as yet been acquired, and to this extent the claim of the first defendant on behalf of the Government in the 9th paragraph of his written statement cannot be gainsaid.’

“ Mark the words ‘ *rights have not as yet been acquired.*’ I need not detain the House longer because of the time-limit which has been tried to be introduced shortly before I began my speech. I ask the Government, therefore, whether it is fair for them to come forward with their declaratory rights without embodying their obligations? When they have rights, they should also have obligations. Is it fair on their part to omit to embody the obligations? That is my objection.

“ Then again you will find that this Bill is not calculated to please any of the classes of persons who are affected thereby. There are three classes of people who are affected by this Bill, the zamindari landholders, the ryotwari landholders and the ryots. You will find that this Bill is so framed as to affect the interests of all persons concerned, and all are entitled to complain against several of the main provisions of the Bill. The recommendations of the Committee were accepted only in the case of waters entirely situated in an estate. Is it a matter for congratulation or satisfaction as far as the zamindars are concerned? No. Because, the provisions of the following clause (clause 7) practically take away the benefit of the concession conferred by clause 6 for the reason that it provides that the Government can assume control over not only new works but also existing irrigation works or projects. Does it not therefore practically take away the benefit of the concession given by virtue of the previous clause? I would, therefore, submit that if it is intended that they should have the power to interfere with any *new* project for the benefit of large numbers of people, then there is no justification for the inclusion of the *existing* irrigation works or projects.

“ Sir, it will be found that apart from this clause, there are other clauses down below which will affect all these persons to a substantial extent. The next Clause, Clause 8, gives the Government power to prevent them from carrying on any improvement in respect of their irrigation works after the issue of a notification under clause 7. The moment a notification is issued they are prevented from maintaining any embankment, sluice or channel whatever. The only slight modification made is—and we must all be thankful for small mercies—that the people have been given liberty to close breaches temporarily. Important as the labours of the Committee are, that is the only concession which they have conferred upon the people by means of that new addition. It will be found that a modest amendment moved before the Committee to the effect that the words

‘ closing of breaches by such temporary measures as may be necessary for the continuance of irrigation ’

[Mr. A. S. Krishna Rao Pantulu] [7th February 1924]

should be altered into 'maintenance of any dam, weir, embankment, sluice, channel or any construction without extension,' has not been accepted by the Government. I would submit that when once you state that

'immediately after the issue of a notification no person shall commence, restore or remove or alter, etc.'

you must at least give the person concerned an opportunity to maintain his works. The insertion of this provision affects all those who have any vested interest in land. This is another grave defect which has to be removed from this Bill, if it is to be acceptable to the people.

"Again, Sir, let me draw the attention of the House to clause 10. It says :

'After the date aforesaid the Local Government may exercise in respect of the water or work referred to in section 7 all or any of the powers conferred by this Act and the liability of the landholder or owner or other person in respect of the maintenance of such water or work shall cease except as provided in section 24 and devolve on the Local Government.'

Where will the ryots stand? They cannot enforce their rights on the landlord. They cannot enforce their rights on the Government. What will be their fate? In the Committee a very reasonable amendment was moved and accepted. It was in these words :

'that the Government shall bear the liability in respect of the maintenance of such water or work and the liability of the landholder or owner or other person shall cease except as provided in section 24.'

If the Government would at least say that they will bear the liability in lieu of the landholder that will be a reasonable position. That has not been done.

"There is yet another important point. We find in clause 56 dealing with compensation, that provision is made in clause (b) for paying no compensation for

'the stoppage or diminution of a supply of water for irrigation to any Government land registered as wet in public accounts when such land has not been irrigated at any time within five years immediately preceding such stoppage or diminution.'

Even in respect of this provision, I would point out that this limitation of five years is unnecessary. So far as wet land is concerned, they are lands registered as wet. This limitation is not to be found in the earlier Bills. There was a restriction in the Bill of 1908. Since it was found to be hard on the ryots, it was removed altogether from the Bill of 1909. In the Bill of 1914 you would find provision for payment of compensation for wet lands irrigated within five years. It is only when you come to last year's Bill, you find this limitation as regards wet lands. I submit that there is no justification for this provision at all. In the case of dry lands there is no compensation provided at all. Our friends who worked in the Committee were good enough to raise this point saying that subject to the limitation of ten years there ought to be compensation provided for. Notwithstanding their efforts you find that that also has not been accepted by the Government. In the Bill of 1909, provision was made for compensation for dry lands cultivated during the years, subject to certain limitations. I would submit that some of these main points which I have urged are enough to show that this Bill is defective in various particulars. For want of time I cannot point out the other defects in the Bill. For instance there is much to be said against the powers conferred on the irrigation officers.

7th February 1924] [Mr. A. S. Krishna Rao Pantulu]

"It will be found that the provision regarding the water-cess is objectionable and it cannot be accepted as it is. It is likely to cause irritation in the country. The words 'leakage, and percolation' are bound to cause irritation. A proposal was made in the Committee that rules made for the water-cess should be approved by the Legislative Council. In place of that, we have a statement here that it should be placed before the Legislative Council while in session. It does not mean that the rules will not come into force until they are approved by the Council. What satisfaction is it to us if we are simply to be informed of those rules if we are not to be given an opportunity to accept them? What the Committee insisted upon was that these rules should have the sanction of the Legislative Council and the Committee recommended it. But the Government did not accept it. Therefore, I must say that the present Bill contains all the objectionable features of the old Bill. Therefore, it is not without some feeling of reluctance that I have made up my mind to support the First Reading of this Bill. Though the reasons I have given are such as might induce some persons to reject the motion, I have deliberately come to the conclusion that I must support the motion. My hon. Friend the Law Member in presenting this Bill told us clearly that he is not wedded to any of the provisions in the Bill. He told us frankly and clearly that it may be treated as a picture which has to be improved upon. With that assurance from him I hope that this Bill can be improved upon. On the other hand if he was dogmatic in the beginning saying 'these and these are the principles from which the Government cannot depart' I would have been one of those who would reject the Bill. When the person responsible for the Bill says that it could be freely improved upon, I do not think we are justified in voting for its rejection.

"Again, let me remind the House that our chief complaint has been that the Government have been neglecting works of irrigation. We have been, in season and out of season saying that the Government are not giving sufficient facilities for irrigation; and their reply now has been that they have not been successful in passing a law which enables the construction of new irrigation projects. Shall we give them that chance or not, is the plain question before us now. If we really agree that the country would prosper by the development of irrigation, if we really think that there is something to be said in favour of the difficulties pointed out by the Government that the Government of India would not give them any pecuniary help unless the Irrigation law is pushed through, we ought to agree to the passing of this measure. We should facilitate the Government going forward with their irrigation schemes. I do not say so simply because the hon. the Law Member has suggested that the Bill might be improved upon by the House.

"I do not want the House to do anything on his mere assurance, because so often it happens that we have to take care that we rely only upon improving the provisions of the Bill itself. If our attempts in the Select Committee and in the Council to have the Bill modified in the form acceptable to us fail, the remedy is in our own hands; because even after further discussion during the Second Reading it is open to the Council to reject the whole Bill, even though it may be allowed to pass the First Reading and even after the Bill is threshed out in the Select Committee. If even after all these processes we still feel that this Bill is of no use whatever and that it would curtail the privileges of all persons

3-15 p.m.

[Mr. A. S. Krishna Rao Pantulu] [7th February 1924]

concerned, we will really be within our rights to reject the Bill when it comes to the stage of the Third Reading, and a motion is made that the Bill be passed into law. Therefore I support this motion."

Mr. S. SATYAMURTI :—" Mr. President, Sir, I have listened to the hon. the Law Member's very impassioned and very earnest,---I do not say eloquent because now after coming to this House I have come to know eloquence is a crime---speech, in making the motion that the Bill be read in Council. But I cannot say that he gave any reasons which convince me---and I feel which will convince many others at least on this side of the House---that this reading ought to be permitted at this stage. Let us now examine the arguments that he advanced. Before I do so, I must be allowed, and I hope I shall be, to enter my humble protest against the somewhat uncharitable and unchivalrous attack which my hon. Friend, the Law Member, if he would allow me to say so, made on the Swarajist programme and party. Sir, I am pledged to obstruct and to hold up all Government business, unless and until the Government yield to the reasonable demands of the people. Though unfortunately our number here is not very very large, but still, when it is, the Swarajya party will hold up every business of the Government. It will hold up not one Irrigation Bill but a thousand Irrigation Bills. It will hold up not one grant but a thousand grants until the Government grant Swaraj. For I am convinced that Irrigation Bills can wait but Swaraj cannot. That is the only argument which I have got to give in answer to the somewhat, may I say, unchivalrous attack on the Swarajist programme made by the hon. the Law Member. I can understand and realize my hon. Friend, Mr. Veerian's attack, but I was not prepared for the hon. the Law Member's attack. I want to say this that we, who are here, representing large constituencies, are at a great disadvantage in offering responsible criticisms on this Bill. Within the last three days have been piled on our devoted heads reports after reports, papers after papers, and with the best will in the world I have not been able to go through them and much less digest them. And I must ask the hon. the Law Member to place himself in our position and not that of a Member of Government. He will then realize our difficulty, he having come in contact with many Bills. He is an expert lawyer and has been studying these various provisions for some time. But here I am; I have not been able to read the Committee's recommendations and I sat here with amusement listening to the powerful arguments of Mr. Krishna Rao and Mr. Krishnan Nayar. I thought they were going to oppose this motion, but each ended his speech by supporting it. I do not want to come between them and their logic, but I may tell the House that it is somewhat amusing to us to be told that Committees have made recommendations but yet they have not been accepted, and yet the Members of the Committee said that the Bill must be supported. The House can further understand our great difficulty. We are not able to see what recommendations were made by the Committee, why they were made, what recommendations of the Committee were accepted, why they were accepted; what recommendations were not accepted and why they were not accepted. Therefore, we are in a very difficult position. And speaking of the elected Members of this House---I mean no slur on the nominated Members, for they are not responsible to any electorates as they do not exist now---so far as we are concerned, we have got to consult our electorates,

7th February 1924] [Mr. S. Satyamurti]

and we are here representing the views of our electors and not our own opinions *ex cathedra*, on matters of very vital importance affecting the lives and well-being of thousands and hundreds of thousands of our fellow-subjects throughout the whole of this Presidency. I, therefore, think that it would be fair if this matter is allowed to lie over pending their decision.

“Let me now state such objections and give such answers as I can, within the limited time given to me for speaking in connexion with this motion. The first argument of the hon. the Law Member was that there would be no money until the necessary legislation was passed, and he used very picturesque language, very exaggerated language and painted to us pictures of the Garden of Eden spreading itself in the famine-affected dry Ceded Districts and said that in regard to places like some taluks of the Tanjore district there would be life-giving waters flowing. My mouth watered, for I also hold some land in those parts, and I thought that the moment the Irrigation Bill is passed, there would be life-giving waters flowing. But, Sir, I know the ways of the Government of India, and so does the hon. the Law Member and unless the moving eloquence—I am sorry to use any word which my

The hon. Mr. C. P. RAMASWAMI AYYAR :—“I for one do not regard it as specially uncomplimentary, Sir.”

Mr. S. SATYAMURTI :—“I am very glad to have that assurance, and I feel a little more strengthened to speak here as I am used to speak elsewhere. Unless he is able to change the century-old ways of the Government of India, I do not expect that because you introduce this Bill—you do not pass it, mind you—after this very careful, very conciliatory and very well-considered speech of the hon. the Law Member calculated to buy off or conciliate all opposition, in which he says: ‘I am not committed to anything under the Sun except an Irrigation law and some control and therefore accept the Bill’—I do not think the Government of India are such simpletons as to say that because we introduced a Bill therefore they will be ready to give money. . . .”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“The Government of India are not simpletons. They have, and I know they have in this matter the interests of this Presidency at heart, as much as we have.”

Mr. S. SATYAMURTI :—“That is what I was leading to. If the Government of India have the interests of this Presidency at heart, if they knew the sufferings in our districts, they would not have awaited for an Irrigation Law to be passed to sanction this money, and if the Government of Madras would stand up like a man before the Government of India and say ‘No Irrigation Law until money is given’, then this Council will support them in their attitude. But it is because the Government of Madras have always surrendered themselves to the Government of India and do not stand up as a man, that we are being fleeced to the extent of $3\frac{1}{2}$ crores year after year. And the Government are again giving them the answer ‘Whatever you dictate, you may dictate and we will not oppose you.’ I do therefore think that the argument that because the Government of India are going to give us $2\frac{1}{2}$ crores the moment we introduce some Bill, will certainly not convince any one in this House. The hon. the Law Member said—and I took notes of his speech—that the Government is anxious to introduce some legislation to control irrigation. If he had made a proposition like this, namely,

[Mr. S. Satyamurti]

[7th February 1924]

that this House do now agree for legislating for some control of irrigation, personally I would not have had much to say against it. But after having said that”

The hon. Mr. O. P. RAMASWAMI AYYAR :—“ I am sorry to take up the very little time that is available to my hon. Friend. What I said was that the Government is pledged to this formula, that we must have an Irrigation Law so as to secure to Government such power of control over the water made available for irrigation at public expense as would enable it to make the best possible distribution of the supplies and prevent embarrassing litigation.”

Mr. S. SATYAMURTI :—“ So he did. But later on in his peroration when he was appealing to the Members of this House”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ My hon. Friend knows better than myself what value to attach to perorations.”

Mr. S. SATYAMURTI :—“ I attach much greater importance to his perorations than the hon. the Law Member does to his own. Anyhow, I want to say this, that after the House listened to his peroration, I ask him not to expect anything except this, namely, some legislation for irrigation. But he says ‘Vote for this Bill of 101 clauses which contains various provisions’ and various defects. That is exactly where our difficulty comes in. Then, we come to that hard nut which the Government have found it very difficult to crack, namely, the permanent settlement. The hon. the Law Member said ‘We are not going to disturb the permanent settlement’. I am not one of those who believe that the permanent settlement is a part of the Vedas or of the Bible or of the Koran. I think that when Swaraj comes to this country, the zamindars must accept the terms of the Swaraj Government and that they, the few, should not have any rights as against the many. But for the present when the Government of this country is a foreign Bureaucracy and a Military camp, what guarantee is there that the money which is being spent by the zamindars in this country when once transferred to the Government will be spent even in this country? I therefore do not think that there is any danger at present of the zamindars being deprived of their rights. On this matter the zamindars can well take care of themselves. We know that some of them have remained neutral and others are in opposition, and therefore they know their interests better than we do. I am speaking only on behalf of the ryotwari landholders, and I want this House to know that this Bill affects ryotwari rights, ryotwari interests, as much as it affects zamindari interests, if not more. A red-herring has been drawn across the discussion on this Bill throughout, and it is somewhat overdone, that the holiness is on the side of the Government and the unholiness is on the side of the zamindars, and we naturally must take the side of the holy ones. My contention is that the subsequent chapters of the Bill and the definition clauses also affect ryotwari proprietors. It also affects the zamindari proprietors, and it has been stated that such changes as have been made in the present Bill have been made in favour of the zamindars. That is no reason why this Bill should go down the throat of this House. The provisions of this Bill may go down the throats of the zamindars.

“ The first major criticism which I want to make on this Bill is this. The Bill makes no mention of riparian rights at all. The hon. the Law

7th February 1924]

[Mr. S. Satyamurti]

Member is too much of a lawyer not to recognize that even ryotwari landholders and proprietors have got riparian rights, natural rights which no State ought to confiscate. And yet there is no provision in any of the various sections in this Bill for the protection of these riparian rights. Then, Sir, my hon. Friend, Mr. Krishna Rao, has already referred to the empty provision regarding Rules being made and laid on the table of this House. I want the hon. the Law Member to state whether this is merely an empty formality or may mean an active or passive consent of this House. So far as I can see at present, the Rules are there and none of us takes any notice of them, and if any one does take notice of them, no notice is taken by others of his notice. And thereafter the Rules go forward. Then, we have had a lecture from Mr. Paddison. I am not against any man going or being asked to go or do any such customary labour as was referred to by him, but after having practically destroyed the communal life of the village, after having made the village headman, not the respected member and leader of the village community, but the hireling of a Bureaucratic Government, and in these days of easy communication, when labour can be had at market rates in almost any place in the country, there is no reason for this antideluvian provision being enacted into law. Well, Sir, we have got various sections about which the hon. the Law Member says so much, e.g., sections 45 to 53 relating to the construction and maintenance of irrigation works on special terms. Therein you have got this provision, namely, 'No objection shall be taken to the rate of water-cess nor shall the liability of any person to pay the cess be questioned in any civil court.' Now, Sir, after having taken away this remedy from the jurisdiction of the civil courts of the country, in very important matters the Irrigation officer is given powers which may very easily be abused.

3-30 p.m. "If the hon. the Law Member will recall his own non-official days, he will remember that it is perfectly easy for the officers of Government, and especially for those in the lower grades, to exceed the limits of the law and cause harassment to the people under their control. I think that even in this Bill itself the Irrigation officers are given such great powers over all the waters in the land, that I have not the least doubt in my mind that unless the political conscience of my countrymen is thoroughly aroused in the meantime, the Irrigation officer will dominate the polling booth in the next election. I have no doubt in my mind that if this Bill goes forth, the ryots will be very much at the mercy of the Irrigation officers, their lascars and their maistris, and I do not think that the hon. the Law Member himself wants to produce that effect."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Certainly not."

Mr. S. SATYAMURTI:—"I am only asking him, Sir, to consider whether the spirit which is calculated to be developed in these petty officials with these extraordinary powers vested in them is not opposed to the development of democracy in which the hon. the Law Member is, I hope, as much interested as any one of us here."

"Then, Sir, there is only one section which I want to read so as to convince this House what radical changes this Bill is making in existing rights. Section 17 says:

'The Local Government may, after publishing a notice to that effect construct, repair, modify, remove or close any irrigation or

[Mr. S. Satyamurti]

[7th February 1924]

drainage work, change the irrigation or drainage work from which water is supplied and take any other measures they may consider necessary in order to control the distribution and to regulate the flow of water from any irrigation or drainage work.'

"And then, clause (3) says :

'No right to receive a supply of water from any particular irrigation work shall debar Government from exercising all or any of the powers conferred by this section.'

"Therefore, Sir, that takes away the right which people otherwise have for the purpose of taking water.

"Then we have got section 64 which says :

'Whenever in the exercise of the powers conferred by this Act the supply of water to any person is stopped or diminished under circumstances entitling him to compensation under section 56, the Local Government shall, with the consent of the person so entitled and subject to such conditions as may be agreed upon, confer on him, in lieu of or as part of such compensation, a right to a supply of water from any irrigation or drainage work, unless such supply is in the opinion of the Local Government impracticable or the cost of such supply would exceed the amount of compensation payable.'

"But, Sir, if we turn to section 56, we will find :—

'No compensation shall be awarded for any loss or damage sustained in consequence of—

(a) the stoppage or diminution of a supply of water from an irrigation work when such supply has been received or derived for the first time after the passing of this Act.'

"I thought, Sir, that one of the most earnest pleas which the hon. the Law Member put forward in favour of this Bill was that if this Act is passed there would be such a number of fresh sources of water-supply, such an extent of land irrigated, and such new sources of irrigation, that people would take advantage of this. But what becomes of that, I ask, when Government, by a stroke of the pen, deprive them of that right and say into the bargain : 'You shall have no compensation whatever because you are entitled to the water only after the passing of this Act?'

"The one other clause I want to refer to, and that briefly, is this : My hon. Friend, the Law Member, assured me and assured this House, yesterday morning, that he also was a lawyer. I knew that, and I know that. But, may I appeal to his legal conscience to say whether it is right that under the numerous sections of the Bill, viz., 23, 36, 37, 44, 53, 59, 76, 79 and 90, he should take away the jurisdiction of the civil courts and empower the executive officers of the Government with these great powers? The hon. Member used the phrase 'embarrassing litigation'. Yes, so it is. But after all, until humanity finds out another means of ascertaining and asserting people's rights, I suggest that an appeal to the highest tribunals of the land is the only legitimate, is the only normal, and is the only proper means of ascertaining and asserting such rights."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"The phrase is of the Government of India."

7th February 1924]

Mr. S. SATYAMURTI :—“ But that does not excuse this legislation.”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ That does excuse me.”

Mr. S. SATYAMURTI :—“ Anyhow, I hope when the official report comes, the hon. the Law Member will mark this phrase in inverted commas. After having ousted the jurisdiction of the civil courts, the hon. the Law Member cannot say that the powers of the courts have been preserved. But he said that the powers of the courts have been preserved. Yes, in a most truncated form. But in any case, it does not affect the zamindar vitally. They are willing to give the zamindars the right to litigate for their pleasure in courts.

“ Again, this Bill is a taxation measure. Whatever Government may say, this is a taxation measure. They are not going to adopt the recommendations of the Joint Committee but are giving the Executive Government a right to levy a water-cess at their sweet will and pleasure, and also to increase the settlement rates, not because the ryot takes any more water, but because an irrigation officer takes it into his head to classify a particular irrigation source as belonging to a higher class. We are asked to give our assent to this Bill and we are bound at least to give to the hon. the Law Member the views which we hold on the various sections of the Bill. The hon. the Law Member said that this Bill gives effect only to the decisions of the High Court. If this Bill only gives effect to the decisions of the High Court, then why this Bill? I have heard, Sir, that legislation is passed usually only when courts have left matters in doubt, or when the decisions are not beneficial either to the interests of the State or the people. If, as a matter of fact, you are merely giving effect to the decisions of the highest tribunals, then I submit there is no need at all for any legislation.”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ That expression was used in regard to the mutual relations and obligations between the Government and the zamindars.”

Mr. S. SATYAMURTI :—“ So, I take it, Sir, that with regard to the Government and the ryots, the Government do propose to make radical changes in the relations which now exist between them. I do hope that representatives of ryotwari interests present in this House will take note of the fact that, while as regards zamindars they are merely giving effect to the existing rights, as regards the humbler folk, the ryotwari proprietors, they want to put new fetters upon them.”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ I did not say so.”

Mr. S. SATYAMURTI :—“ Of course, I did not say that the hon. Member did. Again, the Government with one stroke of the pen, although I must say that the hon. the Law Member rather hesitated in saying so, say that all that which is not zamindari land, or inam land, is Government land. One of the most difficult and complex problems which have been taxing the brains of most eminent men all over the world is as regards the rightful ownership of the land, whether it is the property of the State or belongs to the people; and the hon. the Law Member says that all lands, excepting inam lands or zamindari lands, are Government lands. I do not think that we should allow such a contention to go forward. The hon. the Law Member says that Government are not bound to maintain irrigation works in a state of repair. An eminent Judge of the Madras High Court, whose

[Mr. S. Satyamurti]

[7th February 1924]

authority the hon. the Law Member himself recognises quite as much as I do, Justice Sir S. Subramania Ayyar, says in 28 Madras at page 72 that 'the duty of the Government to maintain irrigation works is imperative as opposed to permissive obligation.' But, while the Government may do anything, yet no ryot can get compensation because Government have omitted to keep these irrigation works in repair. Let me say this, that, although I belong to the Swarajists' camp pledged to oppose all Bills of this kind, I have examined this Bill with the utmost care, and I find that this Bill, apart from the assurance given by the hon. the Law Member in his picturesque language that once we agree to this Bill, whatever our opinions may be with regard to its provisions, it is surely going to give us life-giving waters flowing even in the desolate darknesses of the Madras Presidency"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I might have said that, but I said so for the obvious reason that irrigation works are not constructed overnight."

Mr. S. SATYAMURTI:—"I can judge the difference between to-morrow and the day after, Sir, but I am only suggesting that the temptation which the hon. the Law Member placed before this House was that, whatever our objections may be with regard to the provisions of this Bill, we must agree to it because in that case in 15 or 20 years there is going to be water flowing in all the fields in the Madras Presidency. Well, Sir, that is a consummation which we all devoutly wish for, but what I say is that even such a consummation ought not to be purchased at the sacrifice of the valued liberties and privileges of the people, and we ought not to commit ourselves blindfold to a Bill about whose provisions the hon. the Law Member is not sufficiently cautious, about the beneficial effects of which we are rather dubious, and about whose provisions, last but not least, we the elected members and others have not yet had sufficient time to consider and bring forward reasoned, useful and effective criticisms, as representing the opinion not only of ourselves, but also of those whom we represent. I, therefore, venture to appeal in all humility to this House, in spite of the impassioned eloquence of the hon. the Law Member, to reject this Bill and leave the Government to bring forward another Bill, if they choose later on. Do not be deceived, I say, by the assurance of language. With the Government holding out all reasonable assurances, this Council turned down by a large majority Sir K. Srinivasa Ayyangar's Bill. Therefore, Government were anxious to placate opinion. With that object in view, they appointed a Committee. That Committee made several recommendations. Government accepted very few of them, but turned down all the others. Therefore, are they going to show a more reasonable frame of mind when we pass the first reading of the Bill and when it comes on to the House again for its second reading? No. I know the ways of the Government, and I would appeal to the House to take time by the forelock and tell the hon. the Law Member "No, Thank You; we will not allow this Bill to go forward."

Dr. P. SUBBARAYAN:—"Mr. President, I must congratulate the hon. the Law Member on the very conciliatory speech he made, but I do not think with all that he has convinced the class that I represent that the Bill in any way gives them the advantage that they thought it would after it had been considered by the Committee. As the hon. Member himself said, the case for the landholders was very ably put forward by Mr. Venkataranga

7th February 1924] [Dr. P. Subbarayan]

Rao and by my hon. Friend Mr. Narasimha Raju. They fought every clause of the Bill, especially in Chapter II, at every step, but I do not think the impress of that fight has been left in the Bill that has been presented to the Council to-day. The hon. Law Member might play upon the words 'all rivers and streams wholly situated in an estate or estates' which are put forward in clause 6. As has been pointed out by my hon. Friend Mr. A. S. Krishna Rao, the effect of that clause has been taken away by what has been introduced in clause 7 wherein Government reserve power to themselves by the mere issue of an order even to take control over streams lying wholly within an estate. So, what they give with one hand in clause 6, they take away with the other in clause 7.

"I was sorry, Sir, that my hon. Friend Mr. Satyamurti chose to attack the class that I represent in this Council in the way he did. I do not think he in any way makes Swaraj come nearer by attacking the class that I represent. If Swaraj is going to be really like the one he said it would be, certainly I for one and the class which he chose to attack will be very thankful if the old Government remained with its Executive Council and its idea of fairplay and justice, but I know it is not going to be that as I think the hon. Member's opinion is rather the exception than the rule. If my hon. Friend had for one moment thought of what the zamindars are suffering under, I do not think he would have made the statement which he did. I shall present this to him if he is unaware of it. I can quote cases of zamindaris in this Presidency where they are paying as *peshkash* nearly half their income. I should like to ask my hon. Friend this question: 'Is there a single ryotwari landholder in this Presidency who is paying nearly half his income to the Government?'"

MR. S. SATYAMURTI:—"Oh yes, and more."

DR. P. SUBBARAYAN:—"I should like also to make a present of this observation to my learned Friend, the Member for the University. The zamindaris have no doubt rights, but they also have duties which they owe to their ryots, and if my hon. Friend chooses to tour round some of the zamindaris in this Presidency, he will find that the ryots under the zamindars live a contented and happy life."

MR. S. SATYAMURTI:—"I would only ask one question, Sir. What about the innumerable suits under the Estates Land Act which we hear so much about in these well-conducted zamindaris?"

DR. P. SUBBARAYAN:—"My hon. Friend has entirely misunderstood my statement. There are zamindars and zamindars. I said there are zamindaris in this Presidency where only if my hon. Friend will take care to tour round, he will find that the tenants have no suits under the Estates Land Act. I am not boasting myself. It is now eleven years since I took charge and there has not been a single suit under the Estates Land Act in my zamindari (hear, hear and applause), and I think there are other zamindars as well who can lay claim to the same statement that I have made."

"I should like also to say this in connexion with the main provisions of the Bill. As my hon. Friend Mr. Satyamurti himself pointed out, there are many clauses in the Bill under which the jurisdiction of the courts has been taken away. I should like in this connexion to point out to the hon. the Law Member an article which was written in the 'Quarterly

[Mr. S. Satyamurti]

[7th February 1924]

drainage work, change the irrigation or drainage work from which water is supplied and take any other measures they may consider necessary in order to control the distribution and to regulate the flow of water from any irrigation or drainage work.'

"And then, clause (3) says :

'No right to receive a supply of water from any particular irrigation work shall debar Government from exercising all or any of the powers conferred by this section.'

"Therefore, Sir, that takes away the right which people otherwise have for the purpose of taking water.

"Then we have got section 64 which says :

'Whenever in the exercise of the powers conferred by this Act the supply of water to any person is stopped or diminished under circumstances entitling him to compensation under section 56, the Local Government shall, with the consent of the person so entitled and subject to such conditions as may be agreed upon, confer on him, in lieu of or as part of such compensation, a right to a supply of water from any irrigation or drainage work, unless such supply is in the opinion of the Local Government impracticable or the cost of such supply would exceed the amount of compensation payable.'

"But, Sir, if we turn to section 56, we will find :—

'No compensation shall be awarded for any loss or damage sustained in consequence of—

(a) the stoppage or diminution of a supply of water from an irrigation work when such supply has been received or derived for the first time after the passing of this Act.'

"I thought, Sir, that one of the most earnest pleas which the hon. the Law Member put forward in favour of this Bill was that if this Act is passed there would be such a number of fresh sources of water-supply, such an extent of land irrigated, and such new sources of irrigation, that people would take advantage of this. But what becomes of that, I ask, when Government, by a stroke of the pen, deprive them of that right and say into the bargain : 'You shall have no compensation whatever because you are entitled to the water only after the passing of this Act?'

"The one other clause I want to refer to, and that briefly, is this : My hon. Friend, the Law Member, assured me and assured this House, yesterday morning, that he also was a lawyer. I knew that, and I know that. But, may I appeal to his legal conscience to say whether it is right that under the numerous sections of the Bill, viz., 23, 36, 37, 44, 53, 59, 76, 79 and 90, he should take away the jurisdiction of the civil courts and empower the executive officers of the Government with these great powers? The hon. Member used the phrase 'embarrassing litigation'. Yes, so it is. But after all, until humanity finds out another means of ascertaining and asserting people's rights, I suggest that an appeal to the highest tribunals of the land is the only legitimate, is the only normal, and is the only proper means of ascertaining and asserting such rights."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"The phrase is of the Government of India."

7th February 1924] [Sir K. Venkatarreddi Nayudu]

Irrigation Bill. I do not attach much value on that ground, for this reason, Sir. The subject of irrigation had been in the hands of the Government of India for nearly fifteen or twenty years before the Reforms during which period they were not able to do anything for us. As early as 1900 or 1902, when the Irrigation Committee submitted its report, certain schemes amounting to something like Rs. 15 crores have been enunciated and recommended to the Government of India. At the same time an equal number of schemes costing about an equal amount were recommended in the provinces of the Punjab and the United Provinces. What do we find? Twenty years after this, we find that, while the Government of India have spent nearly all that was required to be spent in the United Provinces and in the Punjab, they did not spend even a crore of rupees in this province. Probably those that were nearer the seat of the throne were able to influence the Government of India. All we can say is that we have to stand on our own legs—and I am prepared to stand on my own legs. When it is suggested that the want of an Irrigation law is the only reason for delaying all our great schemes, I think we ought to support such a law as that, and I rather think that it is too late in the day to say that an Irrigation law is a necessity for us.

“ That does not mean that this is the Bill that is wanted. But for the assurance the hon. the Law Member has given that he is keeping an open mind on almost every item in the Bill, many of us would have probably voted for that Resolution which was thrown out yesterday, namely, the motion for giving more time for this Bill. Well, Sir, whatever that may be, the present Bill requires enormous perspective. One first criticism which I must advance is that the Bill appears from beginning to end as one which secures some rights to the Government. No objection to that. But they should not at the same time forget their obligations towards the people. As was said by my hon. Friend, Mr. Krishna Rao, Sir, in the older Bills, Bills introduced in Northern India, in the Punjab, Bombay, Burma and United Provinces, there has always been a chapter on drainage. There is no such chapter in this Bill. If the voluminous pages of evidence recorded before the Irrigation Commission were perused, it would have been noticed that several witnesses, especially the Superintending Engineer from the Gōdāvari district, clearly indicated that the system cannot be a success until a scheme for drainage is properly worked out. To this day this Government as well as the Government of India have neglected the drainage systems of the Godavari and Kistna districts, with the result that we have not been able to progress as we should have been able to progress. That is one criticism.

“ Reference has also been made to the obligation of the Government to repair and to pay compensation, where, by their action or by their negligence, injury might accrue to the people. Apart from these, it would not perhaps be possible within the limited time at our disposal to go into details. But I wish that the eloquence of my hon. Friend, Mr. Satyamurti, had been devoted a little more largely on that question with regard to the definition of the words ‘Government land.’ Well, Sir, that is a question which disposes of, if I may say so, with one stroke of the pen, the solution of that vexed question, whether the land revenue in this country is a tax or a rent. That great ingenious fertile brain of the great Viceroy of India, whose genius and whose activity ransacked all the departments

[Sir K. Venkatarreddi Nayudu] [7th February 1924]

of the Governments, not only of his own but of his provinces as well, and made researches in the laws from the ancient monuments and after all produced that book called the 'Indian Land Revenue Policy', even that statesman could not solve that question. And what do we find, Sir? The Madras Government in one single sentence by way of definition have taken away that which is dearest to the ryots of this land. I say, Sir, the Government in this country have no land of their own, ('hear, hear') except what is purchased by them. If the land is yours, why should the question of compensation come in? You say you will pay not merely the price of the land but something more—50 per cent more for the land to be compensated. It is not only that. I am sorry there is no time to go into the whole question, but I will just refer to the rulings of the High Court and of the Privy Council in which it has been definitely held that the land belongs to the ryots and not to the Government. Those of us that are acquainted with conveyances in our own land know, Sir, that even in the most ancient documents we find terms which invariably lead to the only one inference, namely, that the proprietary right of the soil vests in the ryot and not in the Government. తరుజలపా పాణము, i.e., water, trees, mines are all conveyed in the ordinary conveyances, and now to be told, in the year of Grace 1924, after one hundred and fifty years of benign British rule, after the decisions of so many courts, that the land belongs to the Government at one stroke and that everything is Government land is something startling and extraordinary. Now, Sir, I hope it will not be taken as a threat, but it is an honest conviction and an expression of honest opinion when I say that unless the hon. Member in charge is prepared to say that he will take away that provision whether it be in the Select Committee or at a later stage, unless he gives me that assurance, I must say that I cannot give my assent to the reading of this Bill."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"This definition of Government land was embodied in the Survey Act which was recently passed, and I do not think any objection was taken then."

Mr. M. RATNASWAMI :—"May I ask whether Government land means anything else than land belonging to Government?" (laughter).

Mr. S. SATYAMURTI :—"May I ask what it does mean?" (laughter).

Mr. M. RATNASWAMI :—"I am asking a question to be answered, Sir."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—"At any rate, that is the way in which I understood the wording there, that every land in this country, except land within the ambit of a zamindari, ryotwari or inam, is declared to be Government land. That, I submit, is an extraordinary proposition which will lead to great injury to the people. Not because it is so declared, Sir, but the thin end of the wedge has been introduced, simply by way of a definition. I can understand why definitions are used; they are used for words occurring very often in the Act; the repetition of a number of words may take up space and time, and in order to save that, definitions are put in. When I examined this Bill, I find these words 'Government land' have been used only in half a dozen clauses. I have not unfortunately the time enough to refer to all those clauses. But I will just run through and tell you what those clauses are. They are clauses 4 (10), 11 (d), 12 (2) (b) (vi), 12 (2) (d), 24, 42 (1) (a) and 56 (2) (b). Now, what difficulty is there to use

7th February 1924] [Sir K. Venkatarreddi Nayudu]

an expression which is clear in those few places? Why use this language? Well, Sir, to put forward in this Bill such an expression, to put forward such a thing in this Council, which I take it represents and contains representatives from various districts, representatives who have been returned by a number of ryotwari voters is something startling, and I wonder if any one would venture to say that he would subscribe to such a dangerous proposition as that. Now, take the case of this one clause—clause 6 in the second Chapter—which deals with the powers taken by Government in order to secure control over water sources. I will not in the least object to that. It is absolutely necessary in the interests of the country and for the discharge of the duties which the State owes to the country. These duties relate to promoting and extending irrigation works which would naturally result in the prosperity of the country. Now, I am perfectly agreed with that. But, Sir, the powers are so quietly, so vaguely, and so sweetly vaguely, taken that there is no knowing where those powers will end. Just take that clause, Sir. I am sorry I have no time to go into details.

“ Suppose to-morrow on the ground, for instance, that the sand of the Godavari is being silted up at the top, or on the ground that
4 p.m. at present it irrigates only a lakh of acres, I only quote the figures approximately, let us say that it benefits some 15 lakhs of people and water is blocked up or banded up; the whole stream of Godavari may be diverted to another district say the Kistna, Guntur or Nellore, and so on and they can say that it is likely to irrigate a larger area, that it is likely to yield larger crops and benefit the largest number of people. When such a thing is done what is there that is provided here? Objections may be submitted and of course they will be coming up and disposed of. But, Sir, when such important schemes as this are put forward, I think it must be the duty of the Government to intimate this House and to place such schemes on the table of this House and obtain the sanction of the House. Because, it is after all those who are entrusted with the safety of the people that have to safeguard the interests of the ryots. I would suggest, Sir, that any scheme involving more than say a certain figure must come before the Council and must obtain the express sanction of the House.

“ I would only mention, Mr. President, one other point. There are two chapters in this Bill providing for compulsory labour and *kudimaramat*. I have heard with great pleasure and with great interest to the speech of my hon. Friend the Labour Commissioner, for whose words I have always the greatest regard. But let me remind this House that these provisions are only fit for a savage people governed by a primitive Government. It is no doubt, Sir, that we had that law in the days of mutiny, I think, in the year 1858. But in those days of mutiny if such a large step was found necessary, one can understand. But to say that when over half a century has elapsed that forced labour should be allowed in a Statute, during days when there has been repeal of the Act enjoining compulsory labour which is being contested as unworthy, is one that we cannot understand. We find that some provisions have been made that if people do not go on their own accord the Government can engage labour and then recover the costs incurred from them. That presupposes, Sir, a sort of coercive labour and is not worthy of being on the Statute book. We are already being criticised as a

[Sir K. Venkatarreddi Nayudu] [7th February 1924]

nation of fools and let that no longer stand staring us in our face: let it not disgrace our Statute book with the inclusion of such a provision and let us treat labour as equal to any other respectable profession of our society. In these days, Sir, when in all civilized countries we have labour dictating to us their own terms and claiming to come in contact with everybody and asserting for work whatever hours they like, it is doubtless incumbent that we should also recognize their position. The only occasion when labour can be coerced is probably during times of war. I do not for one moment suppose that the circumstances under which labour ought to be coerced under the provisions of this Bill can at all be placed on a par with the conditions existing at war time; and that too, Sir, in the days when the Labour Government is in power! I can understand such a thing when a bureaucratic power is at its height. But now when more than half of our Government is composed of ourselves I cannot understand such a provision being incorporated in a Bill. I can understand this thing when the die-hards were in power in the days when the Liberals, who were more or less Conservatives or at least half Conservative, being enacted; but I cannot conceive how under the regime of the Labour Government such a provision is being introduced."

Rao Bahadur C. NATESA MUDALIYAR :—"Sir, Mr. President, I thank the Members of the various parties of this House for having decided not to take this measure as a party one. Ever since I entered this Council whenever an opportunity occurred I never failed to mention that the prosperity of our agricultural province depended upon the improvement of our irrigation works. On the very first day when the hon. the Law Member took his seat, the first request that I made of him was to take up at least one irrigation project. He is a democrat and he has often expressed that having come into a democratic institution he cannot but accept the democratic measures. He has come forward now with a democratic measure. Sir, even though I opposed the Bill introduced by the late lamented Sir K. Srinivasa Ayyangar, even then I admitted the necessity for an irrigation legislation to extend our irrigation works for the benefit of our agriculturists, to develop our irrigation scheme, to prevent our magnificent rivers wasting waters into the seas, to make our irrigation works on which large capital has been sunk to pay a return and not to allow the zamindars or landholders or ryots to go scot-free even though the number of cusecs of water supplied to their fields have increased enormously, due to large improvement of existing irrigation works and to construction of new works, and to prevent wastage of water by the ryots by regulating it and diverting the excess to lands that go uncultivated. I learn that only 7 million acres of land in our Presidency are cultivable to-day. Sir, while admitting the paramount power of the Government for collecting, retaining and distributing water for public good, the rights of the zamindars and landholders or ryots should be safeguarded—the rights and the privileges they earned either by grants or by prescription. There is a point of economy in these irrigation legislations. They legally mark out the amount of control that the executive officers can exercise and the extent of privilege the ryots possess. In Northern India where irrigation legislations exist I learn that irrigation litigations are almost unknown. Even in the Bombay Presidency I learn that irrigation litigations are becoming infrequent.

"Sir, this Bill contains certain defects. Under clause 13, for the purpose of preparing a record, an officer delegated can enter into any land, bore and

7th February 1924] [Mr. C. Natesa Mudaliyar]

do also such other things as are necessary. Why not this be done after due notice to the proprietor of the land or his accredited agent? Right through the Bill the order of the District Collector is final: why not the decision of a District Judge within the jurisdiction? There is also an attempt made to revive the ancient *kudimaramat* system. I thank the hon. the Law Member for having expressed the sentiment that he makes no distinction between a wealthy man and a labourer. I welcome that idea. But *kudimaramat* worked well under the old village form of government which was almost a republic. But now the Government want the control of water sources. Where is the logic in Government asking the villagers to come to its rescue? Of course we are all pleased to hear the burning appeal made by the hon. Member Mr. Paddison. Of course there is a necessity. But the people should be given more privileges for them to offer their services.

"In the *kudimaramat* system, supposing a village munsif belongs to one of the political parties or village cliques, he can use his power to any extent to trouble his opponents. Lastly the penalty for illegal irrigation is thirty times the cess. Any innocent landholder may suffer for the unscrupulous action of any lowly-paid subordinate of the engineering department or a vindictive neighbour. He will have to pay, instead of Rs. 1,000, Rupees 27,000. My Friend, Mr. Biswanath Das, expressed that the rights of the zamindars' ryots are not safeguarded.

"I hope, Sir, that the Select Committee will look into all these things and present the Bill on the occasion of its third reading in a more acceptable form."

Mr. S. MUTTAYYA MUDALIYAR:—"Mr. President, Sir, in beginning to speak on this Bill I feel greatly constrained by the time-limit which you have chosen to put upon me and I do not propose to deal with all the details, but I propose to make certain observations which I think are absolutely necessary before I can give my vote. The hon. the Law Member in opening his speech yesterday candidly confessed that the provisions as regards the ryotwari lands in the Bill are practically the same as they were when the Bill was introduced by Sir K. Srinivasa Ayyangar. But he said that the Bill had been before the public for over twelve months and as regards the ryotwari landholders that no criticisms came up and no objections were made. Let us examine the statement and see how far it is correct and justifiable.

"The Bill came to the public notice in December 1922 and in January 1923 it was introduced into the Council, rejected so that the Bill was entirely off the public mind. Then we were told that a Committee was formed for the purpose of examining the provisions of the Bill and framing a new measure; it was a very strong Committee that was appointed consisting of representatives of the ryotwari landholders and many recommendations were made and people thought that those recommendations would be accepted by the Government before the Bill was taken up for final drafting. But according to the candid confession of the hon. the Law Member none of the suggestions made as regards the ryotwari landholders have been incorporated in the Bill. Certainly I confess I have not been able to go in detail into the report and find out how far they have been accepted or not. But I take the hon. the Law Member at his word that so far as the ryotwari landholders are concerned the Bill is practically the same as before. The circumstances which

[Mr. S. Muttayya Mudaliyar] [7th February 1924]

compelled this House to reject the Bill originally are now existing so far as the ryotwari landholders are concerned. If according to the hon. the Law Member there was no change introduced into the present Bill, what is there, I ask to alter the vote of the ryotwari landholders in this Council when they have by a large majority thrown out even the introduction of the Bill in 1923. I submit there is absolutely no reason.

“There are one or two vital points which I may mention, in my opinion, go to the very root of the rights of the ryotwari landholders and I shall refer to them. As my hon. Friend, Sir K. Venkata Reddi has already pointed out, the Bill enacts that every land which is not estate land is Government land. I should say that this definition of Government land is not only a declaration of right but it is something worse and capable of bringing in worse wrongs than the declaration of rights can do. But the hon. the Law Member in reply to Sir K. Venkata Reddi's criticism on the matter said that it was not a new definition but that it was copied from the definition of Government land given in the Survey and the Boundaries Act. But this was the answer which was given by Sir K. Srinivasa Ayyangar and if it was found necessary then to reject it I do not see how it can be voted for now; and if the definition was to be found in one Act there is no reason why it should be continued in the other also.

“It is a very important question whether land belongs to the Government or to the mirasidars. I may say for the information of the House that judicial decisions have all been in favour of the mirasidars and you may see from half a dozen passages in Huddleston's Mirasi papers that under Hindu Law it has been recognized that the Sovereign has no right to the land and that the mirasidar has that right. Assuming for purposes of argument that Government land does not mean land belonging to Government, what follows? The mirasidar should have the right over the land. A registered landholder is a person in whose name Government land is registered. There is nothing to show that he is the owner of the land. As regards the land that is not registered in anybody's name as house-sites who is the owner? I submit that this is a forfeiture clause and a dangerous provision which ought not to be allowed. The Bill was placed before this House 17 days ago and as was pointed out it was not published in the vernacular languages to enable the non-English knowing people to understand it. How are they to raise their objections and criticise the Bill? Where do you give them the opportunity of putting forward objections? There is absolutely no time. On this single ground I will ask you to throw out the Bill. It is a forfeiture Bill.”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“Mr. President, Sir, sincerely speaking it is not my desire to interrupt any speech or to put an end to the discussion. But I take it that the general sense of the House is that they will reserve further consideration of the specific objections which each individual hon. Member may have to the succeeding stages, viz., the Select Committee and the subsequent consideration by the full House. Yet, I would be wanting in courtesy to hon. Members who have benefited me with their remarks if I do not offer a few observations on some of the points made by them. One of the main points of attack elaborated by my hon. Friend Sir K. Venkatarreddi, following in this respect the remarks of

7th February 1924] [Mr. C. P. Ramaswami Ayyar]

the hon. Member for the University, was as to the implications of the words Government land. I may assure hon. Members of this House that it is not the intention of the Government nor was it the object of the framers of this legislation by a side wind as it were to set at rest long-continued controversies and differences of opinion. I modestly followed the example of the other Act passed not very long ago by this august assembly. Turning to Madras Act VIII of 1923, what do we find? It is an Act relating to survey of lands. There Government land means any land not forming an estate or any portion thereof. When that Act was on the legislative anvil and when it passed through its various stages in this House this suspicion was not entertained and this charge was not levelled. If I had used a much more cumbrous and long-winded expression like 'land not forming or included in the estate' wherever 'Government land' was used, I do not think it would have opened us to so much criticism and permitted hon. Members to make remarks of the nature that has been made to-day. I may assure hon. Members that it was not the intention of those who framed this measure to set at rest all controversies on this matter and to lay down in a cowardly way, as by a side wind as I have already stated, that there is a proprietorship under this Act where it has not been existing before.

"I will now turn to the hon. Member for the University whom, notwithstanding that he is not in his place, you will accord me permission in absentia to congratulate upon his advocacy of what I venture to say is a losing cause, that is, an attempt to have this measure thrown out even at its very inception. He stated that no attempt has been made to define riparian rights as existing between ryotwari proprietors and Government. Well, whatever rights there may be, the extent and connotation of them are open to much discussion. I for one am perfectly prepared to have a discussion on this matter in the Select Committee. I may add that this question of riparian rights did not actively come before the Select Committee though it was alluded to on one occasion and left for further consideration and examination, but nothing happened. I am perfectly prepared to have that matter carefully examined.

"Then another hon. Member said that lawyer though I was I had taken particular care to exclude from the jurisdiction of courts every important matter reserving to them certain trivial and unimportant details. I venture to point out as I said yesterday that the objects which animated those who produced this draft were twofold, firstly to preserve by Clause 90 the jurisdiction of courts generally speaking, and secondly to restrict the jurisdiction of courts to cases and instances where they may function most appropriately. It may be that in one instance or in another this hon. House may come to a different conclusion. I for one will be ready to accept any such Amendment. But it will be remembered that there are matters of detail of inspection on the spot of even important things in which local officers, detested though they have been in these debates, would be more usefully functioning than the courts. Taking Clause 90, I pointed out that the general purport of the measure was to preserve the jurisdiction of the courts. I say wherever the jurisdiction of courts was not postulated, there was room given under Clause 101 for the scrutiny of the legislature being brought to bear upon by the rules. Turning to Clause 101, sub-clause (f) one will find that the declaration of rates of water-cess is included. That is not a kind of matter in which the court can function usefully. Those rules strictly pertain to the legislature. It is therefore provided that

[Mr. C. P. Ramaswami Ayyar] [7th February 1924]

rules relating to rates of water-cess should be placed before the House. It was stated that it is only provided that these rules should be laid on the Table of the House for two months while the House is in session, and it is not provided as is sometimes stated, notably in the Government of India Act, that the active consent of the legislature is necessary before those rules can have operation or validity. Now I take it that the object of the rule prescribing the placing of these matters on the Table of the House is to evoke a Resolution, to stimulate debate and to inaugurate controversy so that we may have the advantage and the benefit of having the Legislative Council's opinion on this matter. It may be that upon some of these matters the Select Committee or the House may say that it is of such paramount importance that affirmative sanction of the legislature is necessary. There may be other matters in which the House may consider that particular things must be brought to the notice of the House and that we should abide by the decision of the House. Now my hon. Friend Mr. A. S. Krishna Rao, in the course of a very very vigorous, and if I may say so, very constructive attack upon this Bill referred to the unique character of the declaration of Clause 6. He said that nowhere has the Government's rights been admitted. Let me turn to the Burma Act II of 1905. The preamble says :

'Whereas, throughout the territories to which this Act extends, the Government is entitled to use and control for public purposes the water of all rivers and streams flowing in natural channels, and of all lakes and other natural collections of still water, and to assume the control and undertake in whole or in part the maintenance of any irrigation work upon such terms, if any, as to compensation as it deems just, whenever it appears to be necessary in the public interest to do so.' "

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" May I know, Sir, if the preamble is treated as part of the Act."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" It is not part of the Act for certain purposes, but it is the guiding factor of the Act; it is the key, the scope and intent of the legislation."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" As the hon. Member has referred to the statement made by me, let me state that the preamble is not a part of the Act. There is nothing in the present declaration to show that there is an undertaking on the part of the Government in whole or in part to show that it is upon such terms and so forth."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I may mention, Mr. President, that the object of Clause 6 as provided is to do more but not less than this. It is a resumé of the powers and functions detailed in the Bill."

4-30 p.m. " My hon. and learned Friend wants me to omit clause 6 and have all the other clauses granting the powers and laying down the obligations. If he can give me a formula by way of concentration and of gathering together all the root ideas in the succeeding clauses, a formula which will compress in one or two succinct sentences the meaning and the object of the Government, no one would be more grateful to him than myself."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" I hope to be able to satisfy the hon. Member and give him a formula."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I am very relieved."

" Then my hon. Friend, the Member from Chittoor, who again is absent from his place, referred to the obligations of the Government with regard to the keeping in proper repair of irrigation works. It is a moot point how far

7th February 1924] [Mr. C. P. Ramaswami Ayyar]

the Government are under any obligation in ryotwari tracts in regard to the repair of irrigation works. But the question is one which may be investigated and carefully looked into later on. There are three very important points to which I must invite special notice. There are points which, I assure the hon. House, will receive the most careful and anxious consideration of the Select Committee. One of them is the provision—to which reference has already been made—that in cases where an irrigation officer on his own initiative constructs a new water course, the cost of it may be recovered from the owners and occupiers of land. The other is with regard to the land registered as dry. The third is about compensation. These are matters which, I assure the House, will be carefully kept in view. Speaking on one of those matters, namely, that relating to Clause 56, this House will not find that I am going to block any amendments or will be unsympathetic. I do not propose at this stage to say more than this. I ask the House to take my undertaking in the spirit in which it is given. I hope that the House will be satisfied that the object is not the sinister one of rushing the legislation. I hope they will take me in the spirit in which I have approached them, and I hope they will allow the First Reading of the Bill. I trust that it will be possible to say at the end of a very few months that in this Presidency the long-standing reproach of the want of an irrigation law has been eradicated and that we can go on with projects which will bring about an era which is dear to the heart of each one in this House and outside it." (Hear, hear and cheers.)

Mr. V. C. VELLINGIRI GOUNDER :—"With the permission of the President, may I say a few words?"

Mr. C. V. VENKATARAMANA AYYANGAR :—"Many of us want to speak on this Bill and in the absence of a motion for closure I think we may be permitted to speak."

The hon. Sir CHARLES TODHUNTER :—"Sir, I move that the question be now put."

Mr. C. V. VENKATARAMANA AYYANGAR :—"The hon. the Leader of the House got up and moved for closure when I was on my legs and was saying that in the absence of a motion for closure we might be permitted to speak."

The hon. the PRESIDENT :—"I have not called upon any hon. Member to speak except the hon. Sir Charles Todhunter who has moved the closure."

The motion for closure was put and the House divided as follows :—

Ayes.

- | | |
|---|--|
| 1. The hon. Sir Charles Todhunter. | 15. Mr. H. Tireman. |
| 2. " Sir Arthur Knapp. | 16. " C. R. T. Congreve. |
| 3. " Mr. C. P. Ramaswami Ayyar. | 17. " J. A. Davis. |
| 4. " the Raja of Kollengode. | 18. " A. J. Leech. |
| 5. " the Raja of Panagal. | 19. " C. Nicholson. |
| 6. " Rao Bahadur Sir A. P. Patro. | 20. " T. R. Venkatarama Sastriyar. |
| 7. " Diwan Bahadur T. N. Sivagnanam Pillai. | 21. " P. W. Partridge. |
| 8. Mr. R. W. Davies. | 22. " Ari Gowder. |
| 9. " P. Hawkins. | 23. " S. Arpudaswami Udayar. |
| 10. " E. W. Legh. | 24. " P. K. S. A. Arumuga Nadar. |
| 11. " C. Madhavan Nayar. | 25. " A. V. Bhanoji Rao. |
| 12. Dr. John Mathai. | 26. " N. Devendrudu. |
| 13. Mr. P. L. Moore. | 27. Diwan Bahadur Sir P. Tyagaraya Chettiyyar. |
| 14. " G. F. Paddison. | 28. Rao Sahib S. Ellappa Chettiyyar. |

[7th February 1924]

Ayes—cont.

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| 29. Rao Bahadur P. C. Ethirajulu Nayudu. | 44. Rao Bahadur C. Venkataranga Reddi. |
| 30. " Cruz Fernandez. | 45. Mr. R. Veerian. |
| 31. Rao Sahib P. V. Gopalan. | 46. " Abbas Ali Khan. |
| 32. Mr. L. C. Guruswami. | 47. " G. Abdulla Ghatala Sahib. |
| 33. Rao Bahadur K. Krishnaswami Nayudu. | 48. " Abdul Hye Sahib. |
| 34. Mr. V. Madhava Raja. | 49. " V. Hamid Sultan Marakkayar. |
| 35. Hony.-Lieut. Madurai. | 50. Khan Bahadur P. Khalif-ul-lah Sahib. |
| 36. Mr. K. S. Ponnuswami Pillai. | 51. Mr. T. M. Moidu Sahib. |
| 37. " P. S. Rajappa. | 52. " T. N. Bava Ravuttar Muhammad Sahib. |
| 38. Rao Bahadur P. Raman. | 53. Khan Sahib Saiyid Diwan Abdul Razaq Sahib. |
| 39. Mr. R. Srinivasan. | 54. Mr. K. Uppi Sahib. |
| 40. " P. V. S. Sundaramurti. | 55. " Janab Muhammad Yahya Ali Sahib. |
| 41. Rao Sahib T. C. Tangavelu Pillai. | |
| 42. Rao Bahadur O. Tanikachala Chettiyar. | |
| 43. Mr. K. Venkatachala Padayachi. | |

Noes.

- | | |
|--------------------------------------|--|
| 1. Mr. B. Mahabala Hegde. | 21. Mr. P. Siva Rao. |
| 2. The Zamindar of Kurupam. | 22. " A. Chidambara Nadar. |
| 3. Mr. P. N. Marthandam Pillai. | 23. " K. Koti Reddi. |
| 4. " B. Muniswami Nayudu. | 24. " P. Anjaneyulu. |
| 5. " C. Muttayya Mudaliyar. | 25. Sriman Biswanath Das Mahasayo. |
| 6. " P. C. Muttu Chettiyar. | 26. Mr. S. Muttayya Mudaliyar. |
| 7. " C. Ponnuswami Nayudu. | 27. Dr. P. Subbarayan. |
| 8. " K. Prabhakaran Tampan. | 28. Rai Bahadur T. M. Narasimhaacharu. |
| 9. " G. Premayya. | 29. Mr. P. Peddiraju. |
| 10. " K. Raghuchandra Bellala. | 30. " V. C. Vellingiri Gounder. |
| 11. " P. T. Rajan. | 31. " A. Ranganatha Mudaliyar. |
| 12. " B. Ramachandra Reddi. | 32. " J. A. Saldanha. |
| 13. " J. D. Samuel. | 33. Sriman Sasibhushana Rath Mahasayo. |
| 14. " K. Sarabha Reddi. | 34. Mr. M. Seetayya. |
| 15. " K. Sarvarayudu. | 35. " M. R. Seturatnam Ayyar. |
| 16. " K. Sitarama Reddi. | 36. " R. Srinivasa Ayyangar. |
| 17. " Chavadi K. Subrahmanya Pillai. | 37. " C. V. Venkataramana Ayyangar. |
| 18. Rao Bahadur C. Natesa Mudaliyar. | 38. The Raja of Ramnad. |
| 19. " A. S. Krishna Rao Pantulu. | 39. Mr. M. Ratnaswami. |
| 20. " C. V. S. Narasimha Raju. | 40. Diwan Bahadur M. Krishnan Nayar. |

Ayes : 55. Noes : 40.

The closure was carried.

4-45 p.m. The motion that the Madras Irrigation Bill be read in Council was then put and carried.

A poll was demanded and the House divided as follows :—

Ayes.

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|---|---|
| 1. The hon. Sir Charles Todhunter. | 19. Mr. C. Nicholson. |
| 2. " Sir Arthur Knapp. | 20. " T. R. Venkatarama Sastriyar. |
| 3. " Mr. C. P. Ramaswami Ayyar. | 21. " P. W. Partridge. |
| 4. " the Raja of Kollengode. | 22. " Ari Gowder. |
| 5. " Rao Bahadur Sir A. P. Patro. | 23. " S. Arpudaswami Udayar. |
| 6. " Diwan Bahadur T. N. Sivagnanam Pillai. | 24. " P. K. S. A. Arumuga Nadar. |
| 7. Mr. R. W. Davies. | 25. " A. V. Bhanoji Rao. |
| 8. " P. Hawkins. | 26. Diwan Bahadur Sir P. Tyagaraya Chettiyar. |
| 9. " E. W. Legh. | 27. Rao Sahib S. Ellappa Chettiyar. |
| 10. " C. Madhavan Nayar. | 28. Rao Bahadur P. C. Ethirajulu Nayudu. |
| 11. Dr. John Mathai. | 29. " Cruz Fernandez. |
| 12. Mr. P. L. Moore. | 30. Rao Sahib P. V. Gopalan. |
| 13. " G. F. Paddison. | 31. Mr. L. C. Guruswami. |
| 14. " H. Tireman. | 32. " B. Mahabala Hegde. |
| 15. The hon. the Raja of Panagal. | 33. Rao Bahadur K. Krishnaswami Nayudu. |
| 16. Mr. C. R. T. Congreve. | 34. Mr. V. Madhava Raja. |
| 17. " J. A. Davis. | 35. Hony.-Lieut. Madurai. |
| 18. " A. J. Leech. | 36. Mr. P. N. Marthandam Pillai. |

7th February 1924]

Ayes—cont.

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| 37. Mr. B. Muniswami Nayudu. | 61. Mr. R. Srinivasa Ayyangar. |
| 38. „ C. Muttayya Mudaliyar. | 62. „ C. V. Venkataramana Ayyangar. |
| 39. „ P. C. Muttu Chettiyar. | 63. Rai Bahadur Sir K. Venkatarreddi Nayudu. |
| 40. „ K. S. Ponnuswami Pillai. | 64. Mr. P. S. Sundaramurthi. |
| 41. „ G. Premayya. | 65. Rao Sahib T. C. Tangavelu Pillai. |
| 42. „ K. Raghuchandra Bellala. | 66. Rao Bahadur O. Tanikachala Chettiyar. |
| 43. „ P. S. Rajappa. | 67. Mr. K. Venkatachala Padayachi. |
| 44. „ B. Ramachandra Reddi. | 68. Rao Bahadur C. Venkataranga Reddi. |
| 45. Rao Bahadur P. Raman. | 69. Mr. M. Ratnaswami. |
| 46. Mr. A. Ramaswami Mudaliyar. | 70. Diwan Bahadur M. Krishnan Nayar. |
| 47. „ J. D. Samuel. | 71. Mr. W. Vijiaraghava Mudaliyar. |
| 48. „ K. Sarabha Reddi. | 72. „ R. Veerian. |
| 49. „ K. Sitarama Reddi. | 73. „ Abbas Ali Khan. |
| 50. „ R. Srinivasan. | 74. „ Haji Abdulla Sahib. |
| 51. Rao Bahadur C. Natesa Mudaliyar. | 75. „ Ghatala Sahib. |
| 52. Mr. T. A. Ramalinga Chettiyar. | 76. „ Abdul Hye Sahib. |
| 53. Rao Bahadur A. S. Krishna Rao Pantulu. | 77. „ Hamid Sultan Marakkayar. |
| 54. „ C. V. S. Narasimha Raju. | 78. „ Khalifulla Sahib. |
| 55. Mr. P. Siva Rao. | 79. „ Moidu Sahib. |
| 56. „ K. Koti Reddi. | 80. „ Muhammad Sahib. |
| 57. Rai Bahadur I. M. Narasimhaacharu. | 81. Khan Sahib Saiyid Diwan Abdul Razaq Sahib. |
| 58. Mr. A. Ranganatha Mudaliyar. | 82. Mr. K. Uppi Sahib. |
| 59. „ V. C. Vellingiri Gounder. | 83. „ Yahya Ali Sahib. |
| 60. „ J. A. Saldanha. | |

Noes.

- | | |
|-------------------------------------|--|
| 1. Mr. K. Prabhakaran Tampan. | 8. Dr. P. Subbarayan. |
| 2. „ P. T. Rajan. | 9. Mr. P. Peddiraju. |
| 3. „ C. Ponnuswami Nayudu. | 10. „ M. Seetayya. |
| 4. „ Chavadi K. Subrahmanya Pillai. | 11. „ R. Seturatnam Ayyar. |
| 5. „ P. Sagaram. | 12. Sriman Sasibhushana Rath Mahasayo. |
| 6. „ A. Chidambara Nadar. | 13. Mr. K. Sarvarayadu. |
| 7. „ S. Muttayya Mudaliyar. | |

Neutral.

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|-----------------------------|-----------------------------------|
| 1. Mr. N. Devendrudu. | 4. Sriman Biswanath Das Mahasayo. |
| 2. The Zamindar of Kurupam. | 5. The Raja of Ramnad. |
| 3. Mr. P. Anjaneyulu. | 6. Mr. G. Rameswara Rao. |

Ayes : 83. Noes : 13. Neutral : 6.

The motion was carried.

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ Mr. President, I move that the Bill be referred to a Select Committee.”

The hon. the RAJA OF KOLLENGODE :—“ I second it.”

The motion was put and carried.

The SECRETARY then read the title of the Bill.

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ I move that a committee consisting of the following Members be formed for the consideration of the Bill :—

Select Committee on the Irrigation Bill.

- | | |
|--|--|
| 1. The Advocate-General. | 11. Mr. A. Ramaswami Mudaliyar. |
| 3. Mr. T. B. Venkatarama Sastri. | 12. „ K. Sitarama Reddi. |
| 4. „ P. Hawkins. | 13. „ P. T. Rajan. |
| 2. „ E. W. Legh. | 14. Rao Bahadur P. C. Ethirajulu Nayudu. |
| 5. The Raja of Ramnad. | 15. Sir K. Venkatarreddi Nayudu. |
| 6. Dr. P. Subbarayan. | 16. Rao Bahadur C. V. S. Narasimha Raju. |
| 7. The Raja of Chellapalli. | 17. Diwan Bahadur M. Krishnan Nayar. |
| 8. The Raja of Kurupam. | 18. Rao Bahadur T. A. Ramalinga Chettiyar. |
| 9. Rao Bahadur O. Tanikachala Chettiyar. | 19. Mr. C. V. Venkataramana Ayyangar. |
| 10. Mr. B. Muniswami Nayudu. | 20. Rao Bahadur A. S. Krishna Rao Pantulu. |

[7th February 1924.]

Select Committee on the Irrigation Bill—cont.

- | | |
|---------------------------------------|--|
| 21. Mr. R. Srinivasa Ayyangar. | 28. Rao Sahib P. V. Gopalan. |
| 22. „ A. Ranganatha Mudaliyar. | 29. Mr. P. Siva Rao. |
| 23. Khan Bahadur P. Khalitulla Sahib. | 30. Rai Bahadur T. M. Narasimhacharlu. |
| 24. Mr. Yahya Ali Sahib. | 31. Mr. P. Peddiraju. |
| 25. „ V. Madhava Raja. | 32. „ A. V. Bhanaji Rao. |
| 26. „ B. Mahabala Hegde. | 33. Sriman Biswanath Das Mahasayo. |
| 27. „ R. Srinivasan. | 34. The Mover. |

The hon. the RAJA OF KOLLENGODE :—“ I second it.”

The motion was put and carried.

The hon. the PRESIDENT :—“ I appoint the hon. the Law Member as Chairman of the Committee.

“ It will now be open to hon. Members to take up the remaining items on the agenda paper to-day, namely, the adjourned motion of Mr. Peddiraju. Is it the desire of the hon. Members to continue the discussion on that motion or shall it be taken up to-morrow ? ”

The sense of the House was that the motion might be taken up the next day.

The House then adjourned at 4-52 p.m. to meet again at 11 a.m. the next day.



R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

APPENDIX III.

[Vide page 292 supra.]

(1)

*Proceedings of the Twelfth Meeting of the Finance Committee,
1923-24, dated 24th January 1924.*

P R E S E N T :

The hon. Sir CHARLES TODHUNTER, K.C.S.I., I.C.S. (Chairman).

M.R.Ry. A. RANGANATHA MUDALIYAR Avargal, M.L.C.

Rai Bahadur T. M. NARASIMHACHARLU Garu, M.L.C.

„ Sir K. VENKATAREDDI NAYUDU, Kt., M.L.C.

JANAB MUHAMMAD YAHYA ALI SAHIB Bahadur, M.L.C.

Dr. P. SUBBARAYAN, M.L.C.

R. W. DAVIES, Esq., I.C.S., M.L.C.

1 The first item taken up for consideration was the Part II scheme relative to the appointment of district maintenance officers.

Annual recurring cost RS. 1,12,450

Messrs. N. Macmichael and P. T. Srinivasa Achari were present.

The proposal was placed in class III.

[Mr. M. Krishnan Nayar] [7th February 1924]

relatives murdered that rich man and the culprit is not found out, is it fair to hang all the relatives who profit by his death because you have not been able to detect the one among them who committed the crime? It is something like the recommendation that was made by some persons with reference to the University Examination where, because one of the boys who stole the question paper was not found out, all the students who appeared for the examination were punished. I therefore say that this provision is extremely objectionable and should be deleted from the Bill.

“There is another chapter dealing with water-courses. In that chapter it is stated that owners of lands can apply to the Irrigation Officer to construct at their own expense any water-course which they desire, and the Collector will render any help that is necessary in acquiring lands for the purpose of constructing such water-courses.”

The hon. the PRESIDENT:—“If the hon. Member is going to finish in a minute or two, we shall gladly hear him.”

Diwan Bahadur M. KRISHNAN NAYAR:—“I shall continue after lunch.”

The House adjourned for lunch at 1-34 p.m.

After lunch, 2-30 p.m.

VIII

ALLOTMENT OF DAYS FOR NON-OFFICIAL BUSINESS.

The hon. the PRESIDENT:—“I have to inform the House that in addition to the six days already allotted for the transaction of non-official business, His Excellency the Governor has been pleased to allot one more day for non-official business and that naturally will be to-morrow, Friday, provided that by then the Government business has come to an end. The first 15 Resolutions which have obtained priority by ballot and of which hon. Members have received notice, will accordingly be placed on the agenda paper for to-morrow in addition to questions and answers. I may remind hon. Members that the result of the ballot held on 18th January 1924 holds good only for 30 days and that for any meeting after 18th February 1924, at which non-official business is permitted, fresh notice will have to be given in respect of motions on matters of general public interest even though they were included in the last ballot.

“Hon. Members who have evinced considerable anxiety to devote at least one day to non-official business at the present meeting will, I hope, naturally desire to co-operate with the hon. the Law Member in charge of the Irrigation Bill and bring the discussion on it to a close, as far as possible, to-day, so that we may have some time for resuming the discussion of the motion which stands in the name of the hon. Member, Mr. Peddiraju. In order to arrive at this result and at the same time to enable a large number of hon. Members to participate in the discussion before it is brought to a close, I propose to enforce the time limit which will be 10 minutes for each speech.”

VII.—THE MADRAS IRRIGATION BILL—cont.

Diwan Bahadur M. KRISHNAN NAYAR:—“When we rose for lunch I was dealing with the provisions of chapter IV. I think that some portions of this chapter contain provisions which are very hard. In this connexion, I may say that I should be very sorry if I were understood to take objection against the general principles of the Bill.

[7th February 1924.]

Select Committee on the Irrigation Bill—cont.

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|---------------------------------------|--|
| 21. Mr. R. Srinivasa Ayyangar. | 28. Rao Sahib P. V. Gopalan. |
| 22. „ A. Ranganatha Mudaliyar. | 29. Mr. P. Siva Rao. |
| 23. Khan Bahadur P. Khalitulla Sahib. | 30. Rai Bahadur T. M. Narasimhacharlu. |
| 24. Mr. Yahya Ali Sahib. | 31. Mr. P. Peddiraju. |
| 25. „ V. Madhava Raja. | 32. „ A. V. Bhanoji Rao. |
| 26. „ B. Mahabala Hegde. | 33. Sriman Biswanath Das Mahasayo. |
| 27. „ R. Srinivasan. | 34. The Mover. |

The hon. the RAJA OF KOLLENGODE :—“ I second it.”

The motion was put and carried.

The hon. the PRESIDENT :—“ I appoint the hon. the Law Member as Chairman of the Committee.

“ It will now be open to hon. Members to take up the remaining items on the agenda paper to-day, namely, the adjourned motion of Mr. Peddiraju. Is it the desire of the hon. Members to continue the discussion on that motion or shall it be taken up to-morrow ? ”

The sense of the House was that the motion might be taken up the next day.

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R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

APPENDIX III.

[Vide page 292 supra.]

(1)

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1923-24, dated 24th January 1924.*

PRESENT:

The hon. Sir CHARLES TODHUNTER, K.C.S.I., I.C.S. (Chairman).

M.R.Ry. A. RANGANATHA MUDALIYAR Avargal, M.L.C.

Rai Bahadur T. M. NARASIMHACHARLU Garu, M.L.C.

„ Sir K. VENKATAREDDI NAYUDU, Kt., M.L.C.

JANAB MUHAMMAD YAHYA ALI SAHIB Bahadur, M.L.C.

Dr. P. SUBBARAYAN, M.L.C.

R. W. DAVIES, Esq., I.C.S., M.L.C.

1 The first item taken up for consideration was the Part II scheme relative to the appointment of district maintenance officers.

Annual recurring cost RS. 1,12,450

Messrs. N. Maemichael and P. T. Srinivasa Achari were present.

The proposal was placed in class III.

7th February 1924]

Schemes other than Part II schemes and Supplementary Demands.

2. 22. General Administration—
(a) Local Self-Government Department—Additional establishment—one Superintendent and two upper division clerks—Annual cost Rs. 7,192.

Mr. P. L. Moore was present.

The Committee recommended the proposal for acceptance.

- (b) Additional establishment—Office of the Registrar-General of Panchayats—Annual cost Rs. 1,080.

The proposal of the Local Self-Government Department was placed in class I for 1924-25.

3. 24. Administration of Justice—

- (a) Conversion of 'Mayne's Bungalow' at Vellore into a residence for the District Judge—Cost Rs. 10,500.

The proposal was recommended for acceptance.

- (b) Appointment of an Additional Sessions Judge, Coimbatore—Supplementary grant—Rs. 2,512.

The Committee recommended the proposal for acceptance.

4. 26. Police—

Creation of an additional circle in the South Malabar district—Cost Rs. 2,400 temporary for one year.

Mr. G. R. F. Tottenham was present.

The Committee recommended the proposal for acceptance.

5. 31. Education—

Additional allotment for equipment grants to non-European Colleges and Secondary Schools—Rs. 45,000.

The Committee were unable to recommend the presentation of a supplementary demand.

6. 33. Agriculture—

Deputy Directors, Assistant Directors of Agriculture and Agricultural Demonstrators—Travelling allowance—Supplementary grant—Rs. 8,450.

The proposal was recommended for acceptance.

7. 41. Civil Works—Grants-in-Aid—

Grant—Gudalur-Mysore Frontier Road—Rs. 81,900.

The proposal was deferred for consideration along with the subsidies to local boards in 1924-25.

Part II—Schemes, 1924-25.

8. (i) 9. Registration—

Opening of twelve new sub-registry offices—

	Rs.
Estimated cost	31,934 per annum.
Cost in 1924-25	21,373

It was recommended that six new sub-registry offices be placed in class II and six in class III.

[7th February 1924]

(ii) 24. Administration of Justice--

Opening of an additional District Munsif's Court in Kistna district--

Estimated cost.		Provision for 1924-25.	
Recurring.	Non-recurring.	Recurring.	Non-recurring.
RS.	RS.	RS.	RS.
4,906	900	4,906	900

The proposal was placed in class III.

At this point Sir Venkatarreddi Nayudu took the Chair.

(iii) 25. Jails--

Jails--Andamans--Returned prisoners--Maintenance and transport charges--

	Estimated cost.		Provision for 1924-25.	
	Recurring.	Non-recurring.	Recurring.	Non-recurring.
	RS.	RS.	RS.	RS.
Dietary charges.	2,50,000	..	2,50,000	..
Railway warrants.	..	40,000	..	40,000

The proposal was placed in class I.

(iv) 26. Police--

Kallar reclamation--Madura and Ramnad districts--Additional Police staff--Cost Rs. 8,745 (11 months)

The Committee placed the scheme in class II.

(v) 31. Education--

(a) Reorganization of industrial classes in the Reformatory School, Chingleput--

Estimated cost.		Provision for 1924-25.	
Recurring.	Non-recurring.	Recurring.	Non-recurring.
RS.	RS.	RS.	RS.
702	3,440	495	3,935

The proposal was placed in class III.

(b) Provision for vocational education--

	RS.	
Recurring	..	35,300
Non-recurring	..	55,900
		} in 1924-25.

The Committee recommended that the expenditure on vocational education should be confined to the amount already sanctioned up to and during the current year and that no further allotment than the expenditure already sanctioned should be provided in next year's budget.

(c) Transfer of seven posts from the S.E.S. to the M.E.S.--

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Recurring	31,581	2,000

The Committee placed the scheme in class III.

7th February 1924]

(d) Labour Department—Education—Training of Fishermen teachers—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Recurring	1,920	1,734

The proposal was placed in class II.

(e) Building and furniture grants to aided schools—Agency Tracts—Cost Rs. 650 (non-recurring).

The scheme was placed in class II.

(f) Opening of a secondary training class in the Government Higher Elementary Training School, Chicacole—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Recurring	8,918	6,112
Non-recurring	2,340	2,340

The Committee placed the scheme in class III.

(vi) 32. Medical—

(a) Bifurcation of the Kistna district—Medical arrangements for the new district—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Recurring	30,924	11,000

The Committee placed the scheme in class II.

(b) Appointment of an Assistant to the Professor of Biochemistry Medical College, Madras—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Recurring	5,038	2,200

The proposal was placed in class II.

(vii) 33. Public Health—

(a) Grant of Rs. 10,000 to the Madras Health Council.

The Committee placed the scheme in class III.

(b) Experimental filters at Guindy—Rs. 8,916 per annum.

The Committee recommended that the scheme be continued on a temporary basis for 1924-25.

[7th February 1924]

(viii) 34. Agriculture—

Additional establishment—Office of the Registrar of Co-operative Societies—

Estimated
cost per annum.RS.
2,614Provision in
1924-25.RS.
1,760

The scheme was placed in class I.

FORT ST. GEORGE,
25th January 1924.

C. G. TODHUNTER.

(2)

*Proceedings of the Thirteenth Meeting of the Finance Committee,
1923-24, dated 25th January 1924.*

P R E S E N T :

The hon. Sir CHARLES TODHUNTER, K.C.S.I., I.C.S. (Chairman).

Rai Bahadur Sir K. VENKATAREDDI NAYUDU, Kt., M.L.C.

,, T. M. NARASIMHACHARLU Garu, M.L.C.

M.R.Ry. A. RANGANATHA MUDALIYAR Avargal, M.L.C.

,, A. RAMASWAMI MUDALIYAR Avargal, M.L.C.

Dr. P. SUBBARAYAN, M.L.C.

JANAB MUHAMMAD YAHYA ALI SAHIB Bahadur, M.L.C.

C. NICHOLSON, Esq., M.L.C.

R. W. DAVIES, Esq., I.C.S., M.L.C.

1. (i) The first item taken up for consideration was the installation of a portable saw mill and box-making plant at Olavakkode under 8. Forests as a Part II scheme—

	Estimated cost.	Provision for 1924-25.
	RS.	RS.
Recurring	39,540	39,540
Non-recurring	1,75,000	1,75,000

Messrs. C. S. Martin and J. K. Pearce were present.

The Committee recommended that the Council be moved to sanction the scheme at once and to meet the cost from loan funds.

(ii) Formation of new ranges in the Wynad and South Mangalore Divisions—

Estimated cost.		Provision for 1924-25.	
Recurring.	Non-recurring.	Recurring.	Non-recurring.
RS.	RS.	RS.	RS.
8,028	32,500	6,248	32,500

The proposal was placed in class II.

7th February 1924]

2. 15. *Irrigation*—

(i) Shifting the head of the Thottiam Chinna Voikal, Trichinopoly Division—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Non-recurring	45,720	45,720

The Committee placed the scheme in class I.

(ii) Improvements to Chagollu Tank, Nellore Division—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Non-recurring	52,514	19,050

The proposal was placed in class II.

3. 25. *Jails*—

Indent for Europe stores —Clayton disinfecter for Coimbatore Jail—

	Cost in 1924-25.
	RS.
Non-recurring	440

The proposal was placed in class II.

4. 31. *Education*—

Opening of six additional elementary schools for fisher children —
duty allowance of Rs. 2 to the headmasters.

The proposal was placed in class II.

5. 32. *Medical*—

(a) Addition to the cadre of Civil Assistant and Sub-Assistant
Surgeons—Appointment of Lady Apothecaries in the Bezwada and Kumba-
konam hospitals and of a Lady Sub-Assistant Surgeon at Erode—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Recurring	8,364	4,125

The scheme was placed in class I.

(b) Employment of a midwife in the Cherla dispensary—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Recurring	840	495

The Committee placed the scheme in class II.

6. 34. *Agriculture*—

Additional co-operative staff for work under the Commissioner of
Labour—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Recurring	19,722	13,260

The proposal was placed in class III.

[7th February 1924]

7. 35. *Industries*—

(a) Wesleyan Mission Industrial School, Tiruvallur—Building grant—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Non-recurring	13,333	13,333

The Committee placed the scheme in class II.

(b) Equipment grant to the Pasumalai Trades School—

	Cost in 1924-25.
	RS.
Non-recurring	4,310

The proposal was placed in class III.

(c) Investigation into the possibilities of a match industry in the Madras Presidency—appointment of Mr. Ghosh—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Non-recurring	5,000	5,000

The proposal was not recommended for acceptance.

8. 41. *Civil Works*—*Public Works Department*—

(a) Registration buildings—

Construction of a Sub-Registry office and quarters for the Sub-Registrar and three clerks at Boyirani—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
	19,996	5,000

The Committee placed the scheme in class III.

(b) Land Revenue buildings—

Construction of a Divisional office at Narsapur.

In view of the fact that the old building can be completely overhauled and repaired at a cost of Rs. 1,000, the scheme was not recommended for acceptance.

(c) Administration of Justice—Buildings—

(i) Construction of a combined court-house at Calicut for the Sub-Judge, Calicut, and the District Munsif, Vayittiri—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Non-recurring	1,11,000	30,000

The proposal was placed in class III.

(ii) Construction of a court-house for the District Judge, Kurnool.

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Non-recurring	1,60,000	39,000

The Committee placed the scheme in class III.

7th February 1924]

(d) Jail Buildings—

Madras Penitentiary—Provision of cage latrines—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Non-recurring	10,010	10,000

The scheme was placed in class III.

(e) (i) Education Buildings—

Construction of a building and a hostel with Warden's quarters for the Government Training school, Russellkonda—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
	81,670	10,000

The scheme was not ready and was not therefore taken into consideration.

(ii) Construction of a hostel for the Industrial school at Ranipet certified under the Madras Children Act—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
	90,500	30,000

The scheme was placed in class II, to be financed from loans.

(iii) Umdah Bagh buildings, Mount Road—Extensions and improvements—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
	1,50,000	1,50,000

The Committee placed the scheme in class II, the cost to be met by a loan.

(iv) Construction of a building for the Municipal High School, Bellary—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
	50,000	50,000

The Committee placed the scheme in class II subject to a maximum expenditure of Rs. 50,000 on the school, to be met from loans.

(f) Medical buildings—

* King George's Hospital, and † Medical College, Vizagapatam—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Non-recurring	{ * 3,02,694 † 6,50,000 }	1,75,000

[7th February 1924]

The Committee placed the scheme in class II, to be met from loan funds.

(g) Agriculture buildings—

Construction of quarters at the Agricultural College—Provincial officers—

Estimated cost.	Provision in 1924-25.
RS.	RS.
86,000	50,000

The proposal was placed in class III.

9. As a temporary measure, pending the remission of the contributions, the Committee were of the opinion that building schemes costing Rs. 50,000 or more should be financed by borrowing, provided that they represent works of permanent public utility.

10. 41. *Civil Works—Reserved Agency—Contribution to local bodies—*

(i) Grant for Road Works

.. .. . RS.
96,994

The Committee placed the scheme in class I.

(ii) Grant for Bridge Works

.. .. . RS.
81,080

The proposal was placed in class III.

11. 55. *Construction of Irrigation, Navigation, Embankment and Drainage Works—*

Constructing a new weir at Ramudupalem, Pennar River Canals System, Nellore district—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Non-recurring	20,574	20,574

The proposal was placed in class II.

12. *Loans and Advances—Class V—Miscellaneous—Loans—*

Land Mortgage banks—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Non-recurring	2,00,000	2,00,000

The Committee recommended the acceptance of the scheme. Specific provision of funds in 1924-25 was considered to be unnecessary.

13. (i) 22. *General Administration—*

Bifurcation of the Kistna district.

Adjourned till Wednesday the 30th for further consideration.

(ii) 26. *Police—*

Bifurcation of the Kistna district.

Adjourned to Wednesday the 30th for further consideration.

7th February 1924]

2. 15. *Irrigation*—

(i) Shifting the head of the Thottiam Chinna Voikal, Trichinopoly Division—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Non-recurring	45,720	45,720

The Committee placed the scheme in class I.

(ii) Improvements to Chagollu Tank, Nellore Division—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Non-recurring	52,514	19,050

The proposal was placed in class II.

3. 25. *Jails*—

Indent for Europe stores —Clayton disinfecter for Coimbatore Jail—

	Cost in 1924-25.
	RS.
Non-recurring	440

The proposal was placed in class II.

4. 31. *Education*—

Opening of six additional elementary schools for fisher children —
duty allowance of Rs. 2 to the headmasters.

The proposal was placed in class II.

5. 32. *Medical*—

(a) Addition to the cadre of Civil Assistant and Sub-Assistant
Surgeons—Appointment of Lady Apothecaries in the Bezwada and Kumba-
konam hospitals and of a Lady Sub-Assistant Surgeon at Erode—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Recurring	8,364	4,125

The scheme was placed in class I.

(b) Employment of a midwife in the Cherla dispensary—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Recurring	840	495

The Committee placed the scheme in class II.

6. 34. *Agriculture*—

Additional co-operative staff for work under the Commissioner of
Labour—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Recurring	19,722	13,260

The proposal was placed in class III.

[7th February 1924]

The Committee placed the scheme in class II, the capital expenditure to be met from loan money.

(2) Additions to the upper subordinate cadre in the Agricultural Department—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Recurring	32,268	23,375

The Committee placed the scheme in class III.

(3) Increase of teaching staff at the Agricultural College, Coimbatore—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Recurring	6,090	4,400

The Committee placed the scheme in class II but did not recommend the allowance for the Librarian.

Items other than Part II schemes.

2. Reduction in the number of Veterinary Assistants in the Agency from six to five.

The proposal was recommended for acceptance.

Supplementary Grant.

3. Special Magistrates for the trial of cases arising out of the Mappilla rebellion—Supplementary grant—Rupees 12,217.

The Committee recommended that a supplementary demand be moved.

Part II schemes.

4. 26. *Police*—

Reclamation of Kallars in the Tanjore district—Police staff—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Recurring	3,096	2,838

The proposal was placed in class II.

5. 31. *Education*—

(1) Provision for mid-day meal for pupils belonging to the Depressed classes—

	RS.
Cost in 1924-25	10,000

The Committee were unable to recommend the expenditure.

(2) Opening of a School of Commerce in the Northern Circars—

	RS.
Cost in 1924-25	10,400

The Committee deferred consideration of the proposal till the scheme was ready.

7th February 1924]

(3) Employment of a sergeant in the Queen Mary's College and the revision of the pay of the house-keeper in the College—
Cost in 1924-25—

	RS.
Pay of sergeant at Rs. 50 for 12 months.	600
Increment to house-keeper at Rs. 4 for 12 months	48
Total ..	648

The proposal was placed in class II.

6. 32. *Medical*—

Medical College, Vizagapatam—Opening of the 2nd year class—

	RS.
Cost in 1924-25	90,812

The Committee placed the scheme in class I.

7. 35. *Industries*—

Madras Trades School—staff—permanent retention—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Recurring	9,416	3,344

The Committee placed the scheme in class II.

8. 41. *Civil Works*—

(i) Forest Department Buildings—

Quarters for Forest Officers—Construction of a bungalow at Vellore—

Provision for 1924-25.
RS.
26,000

The scheme was placed in class III.

(ii) 9. *Registration Buildings*—

(a) Construction of an office and quarters for the Sub-Registrar and his establishment at Uttankarai—

	RS.
Cost in 1924-25	14,825

The proposal was placed in class III.

(b) Construction of quarters for the Sub-Registrar and his establishment at Coonoor—

	RS.
Cost in 1924-25	12,500

The Committee placed the scheme in class III.

(iii) 24. *Administration of Justice—Buildings*—

Construction of a separate block of buildings for the Court of Small Causes, Madras—

Estimated cost.	Provision in 1924-25.
RS.	RS.
5,56,000	10,000

[7th February 1924]

The Committee placed the scheme in class II to be met from loans.

(iv) 25. *Jail Buildings*—

(a) Construction of 45 cells for undertrial and quarantine prisoners in the Central Jail, Bellary—

Estimated cost.	Provision in 1924-25.
RS.	RS.
77,500	30,000

The proposal was placed in class III, the cost to be met from loans.

(b) Construction of a sub-jail in the compound of the Taluk Office, Salem—

	RS.
Cost in 1924-25	51,200

The Committee placed the scheme in class III, to be financed from loans.

FORT ST. GEORGE,
29th January 1924.

C. G. TODHUNTER.

APPENDIX IV.

[Vide page 292 supra.]

*List of appointments on Rs. 500 and above created between
1st March 1923 and 30th November 1923.*

Designation of appointment.	Period of employment.	Pay per mensem. RS.
<i>I. Temporary.</i>		
(1) A special officer to carry out a test-check of contingent expenditure in selected offices.	Three months.	500
(2) Appointment of Messrs. Fraser and Ross, Chartered Accountants, to initiate and audit the accounts of Government commercial concerns.	One year ..	1,500
(3) Assistant Secretary, Finance Department (for Budget work).	Six months ..	500
(4) Assistant Secretary, Local Self-Government Department, in the place of Under Secretary (post kept in abeyance).	Do.	500

7th February 1924]

Designation of appointment.	Period of employment.	Pay per mensem. RS.
<i>I. Temporary—cont.</i>		
(5) Deputy Secretary, Chief Secretariat.	Three months.	Pay under superior time-scale in the Indian Civil Service cadre plus a special pay of Rs. 200 per mensem.
(6) A special officer for the preparation of the Presidency Administration Report.	Do.	Grade pay in the Indian Civil Service cadre.
(7) Four Superintendents of Police for work in connexion with the Agency operations.	Six months ..	Grade pay plus Agency allowance of Rs. 100 per mensem each.
(8) Eight Sub-Judges for eight additional temporary sub-courts.	Varying from three to eight months.	650—50—850 each.
(9) Public analyst for the Madras Presidency.	Three years.	1,650
(10) Bio-Chemist, Medical College, Madras.	Do.	1,250
(11) Chief Forest Engineer	Do.	3,000
(12) Logging Engineer ..	Two years ..	1,000—100—1,200
(13) Master Fisherman ..	Do. ..	690
(14) A special officer for the British Empire Exhibition.	One year and four months.	500
(15) Temporary Chief Engineer and Additional Secretary, Public Works Department, for completing the preliminary investigations in regard to the Kistna and the Cauvery-Metur projects.	Two months and 20 days.	3,000
(16) Temporary Superintending Engineer for revising administrative orders of Government as contained in Public Works Department Code and Works Audit Manual.	One month and 17 days.	Rupees 2,150 plus Presidency house-rent of Rs. 60 per mensem.
<i>II. Permanent.</i>		
(17) Principal, Medical College, Vizagapatam.	Indian Medical Service 650—2,100. Non-Indian Medical Service 500—50—900—1,000.

[7th February 1924]

Designation of appointment.	Period of employment.	Pay per mensem. RS.
<i>II. Permanent—cont.</i>		
(18) Professor of Biology, Medical College, Vizagapatam.	500—50—900
(19) Assistant Superintendent, Women's Medical School, Madras.*	450—50/3—850 plus overseas pay of Rs. 100 per mensem.
(20) Additional Assistant Secretary to the Board of Revenue, Land Revenue and Settlement (to be recruited from the Deputy Collectors cadre).†	Pay of a Deputy Collector plus a special pay of Rs. 200 per mensem subject to a maximum Rs. 1,200 per mensem.

* Replaced by a Lady Assistant Surgeon on Rs. 200—15—350 -20—450 in the middle of November last.

† This appointment was created in lieu of the post of Secretary to the Board of Revenue abolished.

R. W. DAVIES,
Secretary to Government, Finance Department.



[Vide page 293 supra.]

We, the undersigned members of the Select Committee appointed to consider certain draft amendments to Standing Order 44 (1) (i) of the Standing Orders of the Madras Legislative Council which were moved by Rai Bahadur T. M. Narasimhacharlu at the meeting of the Council on the 5th February 1924, have the honour to submit the following report.

2. We approve of the amendments which are consequential on the amendments to Standing Orders 46 and 49 already passed by the Council on the 5th February 1924.

3. The Standing Order as amended would run as follows:—

“44 (1) After the presentation of the final report of a Select Committee on a Bill, the member in charge may move—

(i) that the Bill as reported by the Select Committee be taken into consideration, but any member may object to its being so taken into consideration if the copies mentioned in Standing Order No. 42 have not been available for the use of members for fifteen days, or if three months have not elapsed from the date of the first publication of the Bill; and such objection shall prevail unless the President in the exercise of his power to suspend this order allows the report to be taken into consideration; or

7th February 1924]

(ii) that the Bill be re-committed either—

- (a) without limitation, or
- (b) with respect to particular clauses or amendments only, or
- (c) with instructions to the Select Committee to make some particular or additional provision in the Bill,

(2) If the member in charge moves that the Bill be taken into consideration, any member may move as an amendment that the Bill be re-committed."

4. We do not recommend that this report be published in the Gazette.

L. D. SWAMIKANNU.

P. KESAVA PILLAI.

C. MADHAVAN NAIR.

M. KRISHNAN NAIR.

A. S. KRISHNA RAO.

R. SRINIVASA AIYANGAR.

C. P. RAMASWAMI AIYAR.

T. M. NARASIMHACHARLU.

YAHYA ALI.

6th February 1924.



7th February 1954

(ii) that the Bill be re-committed either—
 (a) without amendment, or
 (b) with amendments to the Bill.
 (iii) If the member in charge moves that the Bill be taken into consideration, he may move as an amendment that the Bill be re-committed.

- L. D. SIVAKRISHNAN
- P. KESAVA THEVAR
- G. MADHAVAN NAIR
- M. KRISHNAN NAIR
- A. S. KRISHNA RAO
- R. SRINIVASA AYYANGAR
- C. T. RAMASWAMI AYYAR
- ABRAHAMNACHARU

ALL



8th February 1954

[Handwritten signature]